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THE POLITICAL PHILOSOPHY OF DANTE ALIGHIERI

BY

JOHN JOSEPH ROLBIECKI, A. M.

"Nos autem cui mundus est patria, velut piscibus aequor,--"
Dante, De Vulg. Eloq. I, 6.

A DISSERTATION

Submitted to the Faculty of Philosophy of the Catholic University of America in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy.

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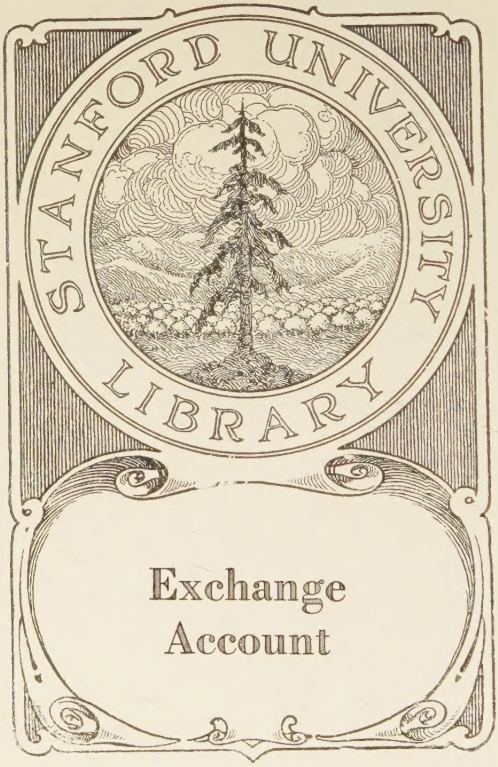

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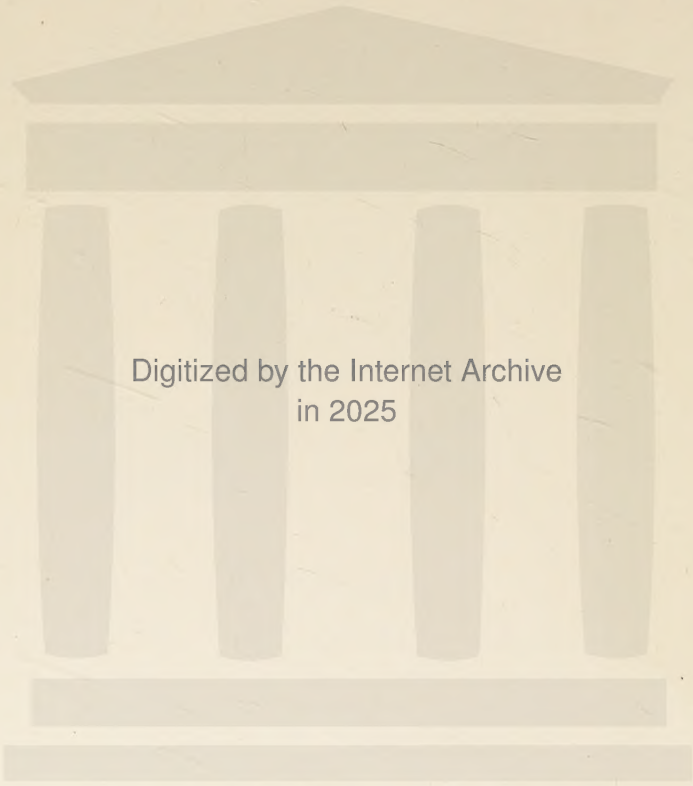
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Dedicated
To the Memory
of the Great and Noble
Dante Alighieri
On the occasion of the Six Hundredth
Anniversary of his Death.

PREFACE

Six hundred years have passed since the death of Dante Alighieri, yet today all the literary world is paying homage to his memory. Dante will ever be remembered as the author of the Divina Commedia, one of the masterpieces of world literature. I regard the present day as singularly opportune for the consideration of Dante's political doctrines. In perusing his works one is struck by the fact that he ardently desired peace,he longed for universal peace and advocated the establishment of a universal empire, which would prevent wars and assure mankind the blessings of continued peace. Dante taught that all men had one nature, that they had one end, and that this end is happiness. Dante was, so to speak, a prophet gazing into the nebulous future, and with hope in the mysterious ways of the Divine Providence, fortelling an institution which would so regulate the affairs of mankind that the universal brotherhood of men might become an accomplished fact.

The greatest war of all history has but recently been terminated and after this lamentable experience mankind has decided to enter on some course which would prevent the recurrence of such a catastrophe. The League of Nations is now a historical fact, and irrespective of whether it shall live or not, we cannot but observe that humanity has never more seriously approached the realization of the ideals of the great Florentine than in the present time. And for this reason, I believe that one can pay no greater tribute nor render greater homage to the memory of Dante than by drawing attention to his efforts in behalf of universal peace and the universal brotherhood of mankind. Animated and inspired by this purpose I offer this study of Dante's political philosophy with the hope that it will in a modest measure contribute to the better understanding and a fuller appreciation of the genius of one of the greatest men and one of the most sincere friends of the human race.

The text I have used in the preparation of this work is that of Moore, Oxford, 1904. In quoting the Divina Commedia I have availed myself exclusively of Longfellow's beautiful translation. The translations of excerpts from the other works of Dante I have credited to the various translators; those not credited to others I acknowledge as my own. Concerning the bibliography I must state that I only give those works which I have studied, read, consulted, to which I have referred, or which I have found in any way helpful to me in the preparation of this work.

J. J. Rolbiecki.

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INTRODUCTION

The study of the political philosophy of Dante has a particular value when we consider that Dante was one of the most learned men of his time, and that he, to a large extent, reflects the thought of his age. We must also remember that Dante was not only a deep student of political science, but, for a time, a practical statesman, engaged in guiding the destinies of his native city, Florence. Moreover the study of Dante's political theories has an added attraction today on account of his advocating a super-state or world empire for the purpose of establishing and maintaining universal peace.

The aim of the present work is to give a brief survey of Dante's political philosophy. In particular it aims at showing Dante's plan of a universal empire and in demonstrating that he was not in favor of absolute monarchy, as some writers have asserted, but rather of unity of government. Finally it purposes to bring out the striking fact that Dante was a believer in the sovereignty of the people and that he regarded the rulers as officials and servants of the people.

The documents from which I cull Dante's political doctrines are his own works and the method I have adopted is to let Dante speak for himself; that is to say, that I quote Dante, giving both the original and the English translation, and comment upon and explain the text. Thus the reader is enabled to get a better insight into the teachings of Dante, and to place his own estimate both on Dante's doctrine and on the present writer's interpretation and appreciation of it.

Dante's most important political treatise is the work entitled "De Monarchia". It is written in the Latin language in use in his day. We do not know when Dante composed this work. Some hold that it was written before 1300. Others believe that it was written at the time of the emperor Henry VII's march into Italy, hence about the year 1312. Finally some Dante scholars think that the treatise was written still later, toward

the end of Dante's life. At all events the time of the composition of this work remains unknown, and it is not for us to enter into this controversy. The work is divided into three books and these again into chapters, but the division into chapters is not to be attributed to Dante himself. Another work which contains some of Dante's political doctrines is the "Convito" or Banquet, written in Italian. The work is incomplete; Dante wrote only the first four treatises. The "De Vulgari Eloquentia" is rather a philological treatise, but it is often helpful in illustrating Dante's politics. It also is incomplete; we have only two books written in Latin. The "Divina Commedia" is of course invaluable in understanding Dante's political theories. Among the "Canzoni" of Dante there are also some references to political science. The letters of Dante would be very helpful in the study of his political philosophy, but I have not referred to them at all, for, although a few of them are probably authentic, none have been proven to be certainly authentic.

However, Dante's political philosophy is not entirely original. If we wish to find the ultimate sources of his teaching we must go back to Plato and Aristotle, to Cicero and Augustine, and also to Aquinas. Moreover contemporary publicists considerably influenced Dante, but it is difficult and often impossible to determine the extent of the influence exerted by them. Nevertheless it must be admitted that Dante's De Monarchia betrays a high degree of originality and compares very favorably with similar contemporary publications. In fact it is commonly regarded as superior to them, consequently it commands more attention and consideration. It should be noted that Dante's political doctrine is largely speculative. He writes less about what is, and more about what ought to be, that is, his teaching is theoretical and idealistic. It is more speculative than descriptive and practical, hence I call it political philosophy. Dante seeks the primal origin and the ultimate end of man, of the state, of law, of power and describes an ideal state; thus we see that his politics merits the name of political philosophy.

Dante's political theories must have been tinged by his philosophy, hence it is not out of place briefly to consider the character of his philosophy. Dante's knowledge is truly universal, he sought it everywhere, and obtained it from all sources

at his disposal. That these sources were as varied as they were numerous we glean from his Convito, which was intended to be a sort of a popular encyclopedia.

Lowell writes: "The Convito gives us a glance into Dante's library. We find Aristotle (whom he calls the philosopher, the master) cited seventy-six times; Cicero, eighteen; Albertus Magnus, seven; Boëthius, six; Plato (at second hand), four; Aquinas, Avicenna, Ptolemy, the Digest, Lucan, and Ovid, three each; Virgil, Juvenal, Statius, Seneca, and Horace, twice each; and Algazzali, Alfrogan, Augustine, Livy, Orosius, and Homer (at second hand), once".[1] This alone would indicate that Dante was a sort of eclectic, and in reality he is sometimes called a christian eclectic. Asín Palacios[2] agrees with Nardi[3] that Dante occupies a middle position between Thomism and the philosophy of Avicenna and Averroës.[4] Now it must be admitted that Dante was profoundly influenced by the writings of the Arabian philosophers, that he was an eclectic, that he had his personal philosophy, yet if one were to decide which philosophy exerted the greatest and most permanent influence on Dante, I believe that it would be the scholastic philosophy of the great doctors of the thirteenth century and through them the Aristotelian. I think that Ozanam's[5] statement that the doctrines of Dante bear the trace of the ascendancy which St. Thomas and St. Bonaventure obtained over him, remains true.[6] Of course I do

[1]Literary Essays, vol. IV, p. 125.

[2]La Escatologia Musulmana en le Divina Comedia. Madrid, 1919. p. 333.

[3]Sigieri di Brabante nella Div. Com. e le fonti della fil. di Dante (Rivista di fil. neoscolastica, 1911-1912).

[4]Hasta ahora se había creído que Dante fué un filósofo exclusivamente tomista; pero Nardi, merced a una escrupulosa revisión de los textos dantescos, cotejados con los de otros escolásticos de filiación neoplatónica y con los sistemas de Avicena y Averroes, ha demostrado que Dante, en el conflicto entre la filosofía árabe-neoplatónica de estos pensadores y la teología cristiana, adoptó una actitud fideística o mística, recurriendo a las enseñanzas de la fe para evitar las dudas nacidas de aquel conflicto. Gracias a esta actitud, Dante, lejos de ser tomista incondicional, es un escolástico, pero ecléctico, que, sin seguir a ningún maestro en particular, acepta de todos los pensadores, antiguos y medievales, cristianos y musulmanes, ideas y teorías, para fundirlas en un sistema personal que, ocupando un término medio entre el tomismo y el avicenismo-averroísta, se aproxima a este último más que a aquél en un gran numero de problemas.

[5]Dante et la Philosophie Catholique au Treizième Siècle. Paris, 1845. p. 217.

[6]Ainsi les doctrines de Dante ne peuvent manquer d'offrir la trace

not wish to minimize the influence of the Arabs on Dante's thinking, but I simply wish to state that in my estimation the scholastics more powerfully influenced Dante's thought. Finally, we must note that Augustine and through him Plato notably influenced Dante's thought in general and to some extent his political philosophy.

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de l'ascendant qu'avaient pris sur lui les deux principaux maîtres (saint Thomas D'Aquin et saint Bonaventure) de son époque, représentants eux-mêmes de tout ce qu'il y avait eu de plus sage et de plus pur dans la scolastique antérieure.

CHAPTER I

The Political Condition of Europe in Dante's Age

The political philosophy of Dante is, indeed, to an extent, speculative, yet it is intimately connected with the political condition of Europe existing in his lifetime. Dante seeks to remedy the defects of contemporary statesmanship, he offers solutions for the numerous problems which confronted those guiding the political destinies of Europe, and he presents a program which, he believes, will pacify Europe and insure the steady progress of all mankind. It is obvious then, that in order to understand and properly appreciate Dante's political theories, it is necessary to become acquainted with the political condition of Europe in his day.

Firstly, it should be noted that both the empire and the political power of the papacy were waning, particularly after the death of Boniface VIII and Henry VII. The ascendancy of the church began during the pontificate of Gregory VII (1073-1085) who succeeded in reforming the church and in raising its power and authority. This work was caried on by his successors. The war of the Investitures was ended by the Concordat of Worms where the freedom of appointment to ecclesiastical offices was recognized, and the undue interference of the temporal power was curbed. The struggle between the papacy and the empire became sharper with the rise of the house of Hohenstaufen. Conrad III, the first of the Hohenstaufens, became emperor in 1138, and it was during his reign that the celebrated cries of "Welf!" and "Weiblingen!" were heard for the first time at the battle of Weinsberg in 1140, where Welf VI was defeated. These cries became Guelfo and Ghibellino in Italy and resounded on the battlefields of Europe for many centuries. In Italy the various factions, adopting these names, were to work great havoc, even after the power of the German emperors was broken. Dante himself was to be drawn into those factions which so devastated his beloved city of Florence and embittered his own life.

Frederick I Barbarossa was crowned by Pope Hadrian IV in Rome, in 1155, but before that he consents to hold the papal stirrup. The popes' political power increased as they aided the Lombard cities in their conflict with Frederick I, who, although he destroyed Milan and supported antipopes against Alexander III, was finally defeated by the pope and the Lombard League at Legnano in 1176. In 1183 the Lombard cities became practically independent of the empire. Henry VI the son and successor of Frederick I, threatened the papacy from both north and south, since by his marriage with Constance he controlled Naples and Sicily, but his death in 1197 prevented the carrying out of his plans against the popes. Under Innocent III (1198-1216) the church attained the greatest political power in its history. Innocent at first supported the Welf Otto of Brunswick against Philip of Hohenstaufen, brother of Henry VI, but later, when Otto the Welf became Ghibelline in his attitude toward the church, Innocent lent his aid to Frederick, the son of Henry VI, who dethroned Otto and thus became emperor as Frederick II. However, Frederick II soon turned against Innocent III. The contest between the Ghibellines headed by Frederick II, and the Guelphs headed by such popes as Gregory IX (1227-1241) and Innocent IV (1243-1254) continues until the death of Frederick II in 1250. Frederick was a continual danger to the popes, since he possessed the south of Italy and Sicily. The popes gave every aid possible to the north Italian cities in their struggle against Frederick, and it was at this time that the Guelph and Ghibelline parties so barbarously ravaged Italy. It should also be noted here that it was in the beginning of the thirteeneh century that the names Guelph and Ghibelline began to be used in Italy. However, Frederick met defeat before his death and succumbed in the struggle against the church.

Conrad IV, who succeeded his father Frederick II, continued the fight against the papacy and the Italian cities. After the death of Conrad IV in 1254, Manfred tried to hold Italy for the empire, but he was defeated and killed by Charles of Anjou in the battle of Benevento in 1266. The last heir of the proud House of Hohenstaufen, Conradin, son of Frederick II, was defeated by Charles of Anjou at Tagliacozzo in 1268 and beheaded in Naples the same year. Thus the bloody strife between the

papacy and the empire resulted in the triumph of the papacy and the loss of Italy to the empire. Henry VII (1308-1313) attempted to regain Italy for the empire but he failed signally. It must be admitted that although the popes won in their struggle against the empire, yet their power was steadily declining since the pontificate of the great Innocent III. Boniface VIII (1294-1303) was the last great pope to recover the former power and glory of the papacy, but he failed in the struggle against Philip the Fair whose armed bands captured the pontiff at Anagni, where he also died in 1303. His successor Clement V removed the papal residence to Avignon, and thus began the period of the Babylonian captivity for the popes which lasted from 1305 to 1376.

Turning now to consider Italy in Dante's lifetime we find that it was divided into parties and sections fighting among themselves. The division into Guelph and Ghibelline parties and factions continued, although the contest between the papacy and the empire had long been terminated. Contestants in sanguinary family feuds called themselves Guelphs and Ghibellines and plunged Italy into a veritable orgy of internecine warfare which Dante deplores and bewails in his Divine Comedy:

> "Ah! servile Italy, grief's hostelry!
> A ship without a pilot in a great tempest!
> No Lady thou of Provinces, but brothel!
> That noble soul was so impatient, only
> At the sweet sound of his own native land,
> To make its citizens glad welcome there;
> And now within thee are not without war
> The living ones, and one doth gnaw the other
> Of those whom one wall and one fosse enclose!
> Search, wretched one, all round about thy shores
> Thy seaboard, and then look within thy bosom,
> If any part of thee enjoyeth peace!"
>
> Purg. VI, 76-87.[1]

The northern cities got rid of imperial authority, they succeeded in emancipating themselves from the oppression of the feudal

[1] "'Ahi serva Italia, di dolore ostello,
Nave senza nocchiere in gran tempesta,

lords, they founded urban democracies, yet they fell under the yoke of various petty tyrants, such as the della Torre in Milan, Alberto Scotto in Piacenza, Alberic of Treviso, in Ferrara Azzo, and in Verona and Padua the bloodthirsty Ezzelino.[8] Hence Dante sings:

"For all the towers of Italy are full
Of tyrants, and becometh a Marcellus
Each peasant churl who plays the partisan."

Purg. VI, 124-126.[9]

We see then that Italy in Dante's time was hopelessly partitioned into numerous principalities. In northern Italy we find numerous families in control, also the democratic republic of Florence and the oligarchy of Venice. In central Italy there were the Papal States which were recognized by the German emperor, Rudolph of Hapsburg, in 1278. In southern Italy the kingdom of Naples was retained by the house of Anjou, but Sicily was taken by Peter of Aragon after the bloody Sicilian Vespers of 1282. The Middle Ages were vanishing and with them the unity of Europe. New nationalities were asserting themselves, particularly the powerful kingdom of France. Dante himself was creating the wonderful Tuscan language by his Italian works, founding the Italian nationality and, in a certain measure, preparing the way for the ultimate unification of Italy.

Passing now to the condition of Florence in Dante's time we shall scan the history of Florence from the beginning of the renowned division into the Guelph and Ghibelline parties until Dante's death. Davidsohn[10] regards the murder of Buondelmonte as the origin of the Guelph and Ghibelline parties in

---

Non donna di provincie, ma bordello!
Quell' anima gentil fu così presta,
Sol per lo dolce suon della sua terra,
Di fare al cittadin suo quivi festa;
Ed ora in te non stanno senza guerra
Li vivi tuoi, e l'un l'altro si rode
Di quei che un muro ed una fossa serra.
Cerca, misera, intorno dalle prode
Le tue marine, e poi ti guarda in seno
Se alcuna parte in te di pace gode."

[8]Cf. Scartazzini. Dante Alighieri. Biel, 1869. p. 25.

[9]"Chè le città d'Italia tutte piene
Son di tiranni, ed un Marcel diventa
Ogni villan che parteggiando viene."

[10]Forschungen zur Geschichte von Florenz. Berlin, 1908. IV.

Florence. This murder occured in 1216, by ordinary reckoning, and not in 1215, according to the Florentine style.[11] The murder was commonly said to have been committed on Easter Sunday, yet as Davidsohn shows[12] according to the death records of the church of Santa Reparata, it was committed on Easter Monday, hence on April 11, 1216. That the event of Buondelmonte's murder is to be considered the occasion of the origin of the Guelph and Ghibelline factions in Florence, Davidsohn relying on historical documents, regards as a well established fact.[13]

The killing of Buondelmonte was an act of revenge, for Buondelmonte, a young nobleman of Florence, spurned a daughter of the Amidei family by breaking his pledge on the day preceding his marriage, and taking to wife a daughter of the house of the Donati. The Amidei and their friends planned vengeance and carried it out by killing Buondelmonte. Florence was immediately thrown into a state of confusion by the partisans of Buondelmonte who called themselves Guelphs and those of the Amidei and Uberti who where called Ghibellines. The Guelphs were later called the party of the church and the Ghibellines the supporters of the empire. From Florence the two parties spread throughout Tuscany and into Lombardy and Romagna. There were two or more parties in every city, who called themselves Guelphs or Ghibellines, although they were only engaged in frequently occuring sanguinary family feuds. They were not concerned about either the church or the empire, but they often sided with the contending forces of the church or the empire, in the hope of thus more surely overcoming their local adversaries. That the Buondelmonte and Amidei factions should have assumed the names of Guelph and Ghibelline, can probably be explained by the fact that Eberhard of Lautern, the governor of Otto IV in Tuscany, deserted Otto IV whose forces

[11]Cf. Davidsohn, op. cit., IV, 52.

[12]op. cit., IV, 53.

[13]"Sowohl die Chronisten (Pseudo-Brunetto, Villani, Dino Compagni), wie die Dichter (Dante, Fazio degli Uberti) machen den Mord des Buondelmonte zum Ausgangspunkt der Florentiner Parteiung. Eine so sicher auftretende Tradition wäre schon an sich zu respektieren, zumal wäre auf Dantes Zeugnis grösstes Gewicht zu legen. Da aber der sehr ausführliche Hauptbericht (Pseudo-Brunetto Latini), der eben dies zum Inhalt hat, durch die Urkunden seine vollste Bestätigung findet, muss die historische Wahrheit jener Uberlieferung als erwiesen angesehen werden." Davidsohn, op. cit., IV, 55-56.

were shattered at the battle of Bouvines by Philip Augustus of France, and espoused the cause of Frederick II. This defection from the Guelph Otto IV probably happened about 1215, hence about the time of Buondelmonte's murder. Thus the factions resulting from this crime took the names of Guelph and Ghibelline already well known in Germany.[14]

The Guelphs usually had the upper hand until their expulsion from the city in 1248 by the Ghibellines, supported by Frederick II. The emperor naturally was interested in controlling the very important and rich city of Florence. Soon after that, namely in 1250, the first democratic revolution took place and a new constitution was framed. By this constitution of the *primo popolo* the power of the Ghibelline nobility was greatly curbed. A new organization, at the head of which was the *capitano del popolo* and his council of twelve elders or *anziani*, controlled the legislative and executive power of the city. The *podestà* was still nominally the head of the city, and in his hands was placed the supreme judicial power. Both the *podestà* and the *capitano del popolo* represented the republic in its external relations. This new constitution assured the people a voice in the government.

The Guelphs, who had been banished in 1248, returned to Florence in 1251. In 1258 the Ghibellines were expelled from Florence. However, they returned in force after the celebrated battle of Montaperti in 1260. In this battle the Ghibellines allied with the Sienese and assisted by Manfred were victorious. The result of this victory was that the Ghibelline faction gained control over Tuscany and its principal city, Florence. The Guelphs precipitately evacuated Florence. However, the Ghibellines were not to remain long in Florence. After Manfred's defeat and death at the battle of Benevento in 1266 they were again driven from Florence. After Conradin's defeat at Tagliacozzo and his execution in 1268, the Guelph party became supreme not only in Florence and Tuscany, but in all Italy. Still the party strife continued in Tuscany. Pope Gregory X attempted to effect a reconciliation between the Guelphs and the Ghibellines in Florence in 1273. But the Ghibellines were again expelled

[14]Cf. Davidsohn, op. cit., IV, 56.

and the efforts of the pope remained ineffective.[15] Cardinal Latino Frangipani finally succeeded in establishing peace in Florence in 1280 and in effecting certain changes in the constitution of the republic. The work of Cardinal Latino was shortlived, however. For in 1282 the people, fearing the nobles, particularly those of the Ghibelline faction, did away with the council of the fourteen established by Cardinal Latino, and introduced the office of Priors. There were six of these, one for each sixth part of the city. They were to be elected from the seven superior guilds. Thus the political power of Florence passed into the hands of the wealthier and more prominent families of the bourgeoisie. This was really an unbloody revolution and a victory for the democratic burghers of Florence.

The city now enjoyed internal peace for many years and consequently prospered. These were happy and festive days for the wealthy city of Florence. The Guelphs now controlled entire Tuscany with the exception of Arezzo and Pisa which were Ghibelline strongholds. Florence at the head of the Tuscan Guelph League was in a state of war with the Ghibellines of Arezzo in 1288, but a decisive battle was not fought until the following year 1289, when Florence and her allies completely crushed the Ghibellines of Arezzo and their allies in the noted battle of Campaldino, in which Dante also took part. One result of this victorious campaign was the considerable strengthening of the position of the Guelph nobility, towards whom the rich bourgeoisie or *popolo grasso* was friendly disposed.[16]

This, however, led to another popular movement in Florence under the leadership of Giano della Bella, and another change in the constitution of the republic in favor of the lower classes, the *popolo minuto*. In 1293 Giano della Bella succeeded in enacting the celebrated *Ordinamenti di Giustizia* which practically excluded the nobles from any share in the government. It was customary hitherto for the nobles nominally to become members of some guild in order to take part in the political life of the city and become eligible for the office of prior. According to this new legislation, however, only those could share in the government who really practised some trade, thereby the ex-

[15] Cf. Davidsohn, op. cit., IV, 211.
[16] Cf. Wegele, Dante Alighieri's Leben und Werke. Jena, 1879. p. 92.

clusion of the nobles from the government was assured. There were also various other provisions of the law directed against the nobles. In order that this new legislation might be truly effective a new office was established. This new official was the *Gonfaloniere di Guistizia,* who was really chief of a police force of one thousand foot soldiers. The nobles were infuriated and by various machinations finally succeeded in banishing Giano della Bella in 1295, and in mitigating the new constitution, insomuch that nominal membership in some guild was sufficient for political franchise and eligibility to office. It was this toning down of the law which enabled Dante, a member of a noble Guelph family, to become a member of the physicians and apothecaries guild, and hence take part in the political life of his native city and eventually to become one of the priors.[17]

Florence was soon to experience the misery and suffering consequent upon a new division into two different warring factions, namely the Bianchi and the Neri, the Whites and the Blacks. The origin of the strife between the two rival parties has often been ascribed to a brawl between some of the followers of the Donati and of the Cerchi families in Florence, on the occasion of the *Calendimaggio* or May festival on May 1, 1300. However, as Davidsohn shows,[18] the two rival factions already existed. Corso Donati, a scion of an ancient but impoverished family, married an heiress of the wealthy Cerchi family contrary to the wishes of the members of that family, and then sought by unjust means to deprive his mother-in-law of her wealth, particularly through the instrumentality of the *podestà,* Monfiorito, who seems to have been but a tool in the hands of the criminally ambitious Corso Donati. Monfiorito, however, was deprived of his office in 1299, hence Corso Donati and his followers were also dispossessed of their political influence. We see then that the rivalry between the Donati and the Cerchi already existed before the bloody May festival of the year 1300. Thus when a contemporaneous feud between the Cancellieri Neri and the Cancellieri Bianchi in Pistoja assumed more serious proportions, the Donati party in Florence was ready

[17]Cf. Wiener Staatswissenschaftliche Studien, Sechster Band. Drittes Heft. Kelsen, Die Staatslehre des Dante Alighieri. Wien; 1905. p. 15.
[18]op. cit., III, 264 ff.

to espouse the cause of the Neri of Pistoja, and the Cerchi of Florence that of the Pistojan Bianchi faction. It is to be noted that these two new political parties were composed of Guelph nobles, for the Ghibelline party was practically non-existent. Soon, however, not only the nobles but the entire populace of Florence was divided into Whites and Blacks.

We observe then that in 1300 Florence was in a state of civil war, with the Whites in control of the government of the city. When Pope Boniface VIII sent Cardinal Acquasparta as peacemake to Florence in 1300, his overtures were refused by the ruling White party, who, since they opposed the papacy, were called the Ghibellines, whereas the Neri, favoring the intervention of the pope was called the Guelphs. Dante was one of the priors of Florence in 1300, and his term of office was the period of two months, from the 15th of June to the 15th of August. It should be observed that the negotiations with the Pope's legate were not broken during Dante's term of office, for Cardinal Acquasparta did not leave Florence until about the end of September, placing the city under an interdict.[19] We see then that Dante was one of the Guelph nobles who belonged to the White party which at this time ruled Florence.

The Pope now invited Charles of Valois to mediate between the two factions and restore order in Florence. He entered Florence in 1301. He was to be impartial, but after he entered the city and gained control over it, he favored the Blacks and Corso Donati. Florence became the scene of bloodshed, pillage, and arson. Thenceforth the Blacks maintained their supremacy. Many of the Whites were put to death and their property was confiscated, and all other prominent Whites were banished, among whom was Dante. He was never to see his native city again. The exiled Whites now sided with the Ghibellines, who made attempts to take Florence by force of arms and almost succeeded in 1304. When Henry VII attempted to regain Italy for the empire, the banished Whites and Ghibellines rallied to his support, hoping to break the power of the Blacks who formed a Tuscan Guelph League in opposition to the emperor. But the unfortunate emperor did not succeed in his undertaking, and his untimely death in 1313 was a

[19] Cf. Davidsohn, op. cit., III, 278.

terrible blow for the exiles and particularly for Dante who had so enthusiastically hailed the coming of Henry. Pisa now becomes the stronghold of the Whites and Ghibellines. In 1314, under the lead of Uguccione della Faggiuola, they captured Lucca. Still they could not capture Florence, which placed itself under the protection of king Robert of Naples. In 1315 Uguccione della Faggiuola gained a brilliant victory over the Florentines. This was the occasion of sentencing the exiled Dante and his sons to death by beheading. The bitter struggle between the rival factions continued in northern Italy, but Dante had severed connection with parties long before his death, which occured in 1321. With this event we conclude this brief sketch of the turbulent history of Florence in Dante's time.

CHAPTER II

The Political Literature of Dante's Time

In order that one may better understand Dante's contribution to the political literature of the turbulent period in which he lived, it is necessary to give a brief sketch of the writings of contemporary publicists. As might be expected Dante was not the only one interested in government and the politics of the day. There were many others besides Dante who wrote on politics, and who held views similiar to his, or took positions diametrically opposed to that of the author of the De Monarchia. The contest of the papacy with the empire and the kings of France, and the rivalry between France and the empire gave rise to political treatises which reflect the tenets of the adherents of those three great powers. Therefore the political writings of Dante's time may conveniently be divided into three classes, according as they are written in favor of the popes, the empire, or the kings of France.

One of the most important political writers of the thirteenth century, and one who profoundly influenced Dante's theories, was St. Thomas Aquinas. He was impartial and objective in his writings. He did not engage in strife with others, and hence he in not to be included among the polemical writers on politics. The political philosophy of St. Thomas is to be found in his *Summa Theologica,* in his *Contra Gentes,* in his commentaries on the Politics of Aristotle, but particularly in his work *De Regimine Principum.* This work consists of four books of which only the first is certainly authentic. The second book, or at least a notable portion of it, is also attributed to St. Thomas, while the last two books are commonly ascribed to a disciple of St. Thomas, Ptolemy of Lucca. St. Thomas, following Aristotle, holds that it is natural for man to live in society and even necessary for his welfare and progress.[20] Man is endowed with reason which must have some aim or purpose, and which is to guide man as

[20]Cf. Crahay, La Politique de Saint Thomas D'Aquin. Louvain, 1896.

a pilot guides a ship to port.[21] Man is capable of communicating with his fellow men by means of articulate speech and this especially shows that man is destined to live in organized society. The most important social group is the family. Civil society is the complement of domestic society. The aim of organized civil society is the common good. The government of the state is good if it fulfills its purpose, namely, provides for the common welfare. If it does not tend towards that end it is unjust, and often it may be truly tyrannical. Tyranny is the worst form of government, for it tends towards the advantage of the one who governs, and not that of all or the common good. St. Thomas discusses the merits of the various forms of government and manifests a certain preference for the government of one, rather than that of the many. He likens the king to the soul of man which should rule him, and to God who is the one ruler of the universe. However, he by no means condemns either democratic or oligarchic, or aristocratic forms of government, provided they tend towards unity of peace, moral good, and the material welfare of all in the community. St. Thomas plainly declares himself in favor of some elective form of government, by which all can in a certain measure participate in it.[22] He is in favor of all taking some part in their government, for thus peace is preserved; "*Ut omnes aliquam partem habeant in principatu: per hoc enim conservatur pax populi*".[23] St. Thomas probably wrote his part of the *De Regimine Principum* about 1266.[24] Ptolemy of Lucca probably finished his part of the work in 1274 or 1275. He writes that all power is ultimately derived from God and depends on Him.[25] He maintains that the popes, representing the spiritual power, interfered in the affairs of the secular power, when the representatives of that power abused their position and became tyrants, hence only *ratione delicti* of the temporal power. Hence he allows the spir-

[21]Cf. Cipolla, Carlo. Il Trattato De Monarchia di Dante Allighieri e l'opuscolo De Potestate Regia et Papali di Giovanni da Parigi; in Memorie della R. Accademia delle Scienze di Torino, serie ii, tom. xlii. Turin, 1892. p. 29.

[22]Cf. Turner, History of Philosophy.

[23]Summa Theologica, 1-2, q. 105, a. 1.

[24]Cf. Kraus, Dante Sein Leben und sein Werk, sein Verhältniss zur Kunst und zur Politik. Berlin, 1897. p. 679.

[25]Cf. Cipolla, op. cit., 31.

itual power an indirect authority over temporal affairs, but not a direct authority. He holds that the spiritual power is in a certain sense superior to the temporal power, inasmuch as the soul is superior to the body. He mentions the empires of the Assyrians, Persians, Macedonians and Romans, and finally the Christian Empire which owes its historical origin to the popes. He says the empire was transferred from the Greeks to the Germans by the popes, and points out that the mode of election of the emperors was determined by the papacy.

Jordanus, a canon of Osnabrück, wrote about the year 1280 a work in favor of the German emperors, entitled *Tractatus Magistri de Praerogativa Romani Imperii.*[26] The author admits the theory of the transference of the empire by the popes. He claims for Germans Trojan ancestry and believes that Charlemagne was related to the Greek emperors. He attempts to trace back the establishment of the mode of election of the emperor to Charlemagne. He does all this to lessen or minimize the historical dependence of the emperors on the papacy. Another work favorable to the emperors was that of an unknown author written perhaps about 1300, entitled *Tractatus de Aetatibus Ecclesiae.*

However the papacy also had its defenders prominent among whom was Aegidius Romanus, a monk of the Augustinian order. He was a disciple of St. Thomas in Paris. He was appointed tutor to Philip (Philip IV), the son of Philip III king of France.[27] It was for the benefit of his illustrious pupil that he wrote, before 1288, a work entited *De Regimine Principum.* His teaching is quite similiar to that of St. Thomas. He holds that the state originates by the association of families and cities. A family may increase in numbers until it becomes a village, then a city, and finally a kingdom. Or cities originating from different families and villages may unite to form a kingdom or state. The aim of the state is the common good. He prefers the monarchical form of government, for unity and peace are best preserved under that form. He manifests his predilection for a hereditary rather than elective monarchy.[28] However, the worst

[26]Cf. Kraus, op. cit., 679. also Kelsen, op. cit., 31.
[27]Cf. Toynbee, Paget. Dante Dictionary. Oxford, 1898. p. 211.
[28]Cf. Cipolla, op. cit., 28.

form of government is tyranny, for it is directly opposed to the aim of the state, the common good. In 1294 he wrote a work entitled *De Renuntiatione Papae* written in favor of Pope Celestine V who abdicated that year. Probably in the year 1302 he wrote another book entitled *De Ecclesiastica Potestate,* which is remarkably similar to the celebrated bull *Unam Sanctum* of Boniface VIII. This bull must be included in the list of noted political writings of Dante's time. In his *De Ecclesiastica Potestate* Aegidius shows himself a zealous defender of the pope and an antagonist of his former pupil, Philip the Fair. The work is divided into three parts.[29] In the first part he shows that the pope is the supreme judge in both spiritual and temporal affairs. He avails himself of the celebrated theory of the two swords to show the supremacy of the papacy. Dante, as we shall see, differs considerably from Aegidius in this matter. In the second part he denies the contention that the church cannot lawfully possess temporal goods. In the third part he states that the pope should use his supremacy with moderation. He admits that, although the pope has both the supreme spiritual and temporal authority, the words of our Lord "Render to Caesar the things that are Caesar's and to God the things that are God's" should be the norm and guide in the mutual relations of the church and the state. Yet in the last chapter of his work he states that the authority of the church is so great that it cannot be measured: "*Quod in ecclesia est tanta potestatis plenitudo quod eius posse est sine pondere, numero et mensura.*"[30]

Another work which was probably written about the year 1300, also in favor of the papacy appeared under the title *Tractatus de Jurisdictione Imperatoris et Imperii.* Kraus[31] refers to Grauert who surmises that it was written by a general of the Augustinians in Provence. Jacobus of Viterbo, an Augustinian monk, sided with the papacy in a treatise called *De Regimine Christiano* which was probably written in 1302.[32]

We shall now give our attention to some publicists who wrote in the interests of Philip the Fair, both against the papacy

[29]Cf. Kelsen, op. cit., 25.
[30]Quoted by Kelsen, op. cit., 26.
[31]op. cit., 681.
[32]Cf. Kraus, op. cit., 680-681.

and the empire. One deserving special mention is Peter Du Bois, a jurist and courtier of Philip the Fair. Between the years 1300 and 1303 he probably wrote a work entitled *Summaria Brevis et Compendiosa Doctrina Felicis Expeditionis et Abbreviationis Guerrarum et Litium Regni Francorum.* This is a bold plan for bringing all Europe under the dominion of the king of France.[33] Firstly the Papal States should be turned over to the King of France, who would however, allow the pope the income from them. Lombardy which owed allegiance to Germany should be ceded to France. He expects to ally Germany and Sicily with France. He then projects for the king of France a matrimonial alliance with Constantinople. He eventually hopes to take in Spain, Hungary and entire Germany, and thus establish unity under French hegemony. This proposal of a world state is similar to Dante's idea of a world monarchy. However, Peter Du Bois opposes the German imperialists and their idea of a Roman Empire. He prefers a world monarchy with a French king at its head.

He also wrote another work about this time in which he espouses the cause of Philip the Fair against Boniface VIII. The work is entitled *Deliberatio Super Agendis a Philippo Rege Contra Epistolam Papae.* Another treatise commonly ascribed to Peter Du Bois and written about 1303, bears the title *Disputatio inter Militem et Clericum.* This work has the form of a dialogue between a clergyman and a knight.[34] The author denies the supremacy of the pope. He seeks to establish the entire independence of the temporal power, and also shows that the kingdom of France is totally separated from the empire. The author of another work emanating from the court of Philip the Fair and written about 1302, is unknown. It bears the title *Quaestio de Potestate Papae.* It is also ascribed with a certain degree of probability to Peter Du Bois. The author maintains that both the spiritual and temporal power are independent of each other. He holds that the temporal power cannot be derived from the spiritual, because historically the state existed before the church.[35] The French king is independent of the emperor, and the kingdom of France is outside the pale of the empire.

[33] Cf .Cipolla, op. cit., 93.
[34] Cf. Kelsen, op. cit., 29.
[35] Cf. Kelsen, op. cit., 27.

The author appears to deny the prelates of the church the right to possess property. He cites canon law in support of his statement. Ecclesiastics are not owners of church property, but only its dispensors; "*non sunt domini rerum ecclesiasticarum, sed dispensatores tantum.*"[36]

Littera sive Bulla Bonifacii Papae et ex eo Quaestio Disputata in Utramque Partem pro et contra Pontificiam Potestatem is the title of another political treatise of this period, written about 1302, the author of which is unknown. It was probably inspired by Philip the Fair, for it also maintains that church and state are independent of each other,[37] and that France is independent of the empire. The donation of Constantine enters also as a matter of discussion.

We come now to the most important exponent of the political theories prevalent at the court of Philip the Fair, namely John of Paris. He was a Dominican prominent at the University of Paris. His work bears the title *De Potestate Regia et Papali,* written about the year 1303. The writer maintains that the temporal power is independent of the spiritual power. Both are derived directly from God. The emperor is subject to the pope in spiritual affairs, but on the other hand the pope is subject to the emperor in temporal affairs. In case of abuse of rights of either the pope or the emperor, one may admonish the other; the emperor may punish and even depose the pope, and reciprocally the pope may punish and depose the emperor.[38] Regarding the comparison of the pope to the sun and the emperor to the moon, the author states that this is to be understood only in the sense that the pope, as the sun, may lend his light to the moon, as the emperor, in matters of faith. This does not mean however, that as the moon gets its light from the sun, so the temporal power is derived from the spiritual. He admits that there should be one supreme spiritual power, but it is not at all necessary that there be one supreme temporal power or universal empire. This he writes in the interest of the total independence of the kingdom of France of the empire. As there is one faith so there should be one spiritual authority, but

[36]Cf. Cipolla, op. cit., 76.
[37]Cf. Kelsen, op. cit., 27.
[38]Cf. Kelsen, op. cit., 28.

there is no necessity for unity in temporal matters. He thus defines the state or strictly speaking the kingdom: "*Regnum est reginem multitudinis perfectae, ad commune bonum ordinatum ab uno.*"[39] This would indicate that John of Paris is in favor of the monarchical form of government, although he strenuously opposes a universal morarchy.

A political treatise in defense of the empire, entitled *Quaestio an Romanus Pontifex Potuerit Treugam Indicere Principi Romanorum* probably appeared about this period.[40] The author mentions the theory of the two swords, but he holds that Christ gave Peter the keys and not swords. He opposes the decretalists and all others who claimed temporal power for the church. He denies the right of the pope to exclude the emperor from Rome which is the capital of the world and whence the empire derives it name.[41] The emperor is not the vassal of the pope, yet he has the duty of protecting the church of Christ.

Another conspicuous publicist of this period was Engelbert, abbot of Admont. He wrote in favor of the emperors and advocated a universal monarchy. He wrote in all probability after 1290, a work entitled *De Regimine Principum.*[42] This treatise is largely based on the political writings of Aristotle. A far more important work is his *De Ortu et Fine Romani Imperii*, written perhaps about 1310. Regarding the origin of the state he teaches that it became necessary for men to congregate and subject themselves to a man distinguished by his superior qualities of mind and physical strength and ability to govern and protect the community. This "*pactum subiectionis*" he finds entirely in harmony with man's social nature and the necessity and advantage for the weak to seek the protection of those stronger than themselves. He compares the state to the human organism. As the soul rules the body so the authority in the state rules the citizens, whom he compares to the various parts of the human organism whose divers functions are coordinated and form one complete unity.[43] The aim of the state he says, is the mainten-

[39]Quoted by Cipolla, op. cit., 55.

[40]Cf. Cipolla, op. cit., 74 who refers to Dönniges, Acta Henrici VII, II, p. 58.

[41]Cf. Cipolla, op. cit., 82.

[42]Cf. Gierke, Political Theories of the Middle Age. Translated with an Introduction by Maitland. Cambridge, 1900. Introd. p. lxvii.

[43]Cf. Kelsen, op. cit., 34.

ance of peace, based on justice, and the happiness of mankind in this world, based on freedom. He shows a marked preference for the monarchical form of government. One of the most remarkable features of Engelbert's writings is his theory of a universal monarchy. He says that a state that originated by injustice can never become just. The ancient Roman empire was justly founded, for Christ Himself acknowedged and told the Jews to acknowledge Roman dominion.[44] He holds that universal peace should be maintained for the common good of mankind. In order that there may be universal concord there should be a universal monarchy. As families unite to form a city, and cities to form a kingdom, so also kingdoms should unite to form one universal monarchy. As the lion is king of the animals and the eagle king of the birds, so also is it perfectly natural that there should be one supreme monarch, who should be the head of the human race. He says that there is but one divine law from which all human law is derived, hence there can be but one justice for all. He says farther, that although there are various countries, languages, customs and laws which divide mankind, yet it is by ordination of Divine Providence that there should be one superior power which should harmonize and unify the human race. His doctrine of the universal monarchy is summed up in his own words:[45] "*Ergo ex divinae providentiae ordinatione erit de necessitate aliqua una potestas et dignitas suprema et universalis in mundo, cui de iure subesse debent omnia regna et omnes gentes mundi ad faciendam et conservandam concordiam gentium et regnorum per totum mundum.*" It is to be noted, however, that Engelbert perceives that the Roman Empire of his day was crumbling, and he expects it to continue in its downward course until its final disappearance.

Robert, king of Naples, wrote a treatise entitled *Tractatus de Apostolorum ac eos Praecipue Imitantium Evangelica Paupertate*, in which he holds that the church may use temporal goods, but not possess them, for it is a higher state of perfection solely to use riches, but not to possess them.[46] An instruction given to envoys sent to the pope at Avignon is also attributed

[44] Cf. Cipolla, op. cit., 66.
[45] Quoted by Cipolla, op. cit., 69.
[46] Cf. Cipolla, op. cit., 76 who refers to G. B. Siragusa, L'Ingegno, il

to Robert. This instruction written about 1314, seeks to persuade the pope not to coöperate in the elevation of a new emperor. He violently opposes the German emperors. He holds that the empire was founded by violence, that the church and Italy suffered a great deal from the wickedness of the emperors and finally he regards the Germans as uncouth barbarians.[47]

Landulfus Colonna, a canon of either Siena or Chartres, is the author of a treatise entitled *Tractatus de Translatione Imperii,* written before 1320. He is a protagonist of the supremacy of the papacy even in temporal affairs. He distinguishes two Roman Empires, that which was founded by Aeneas and which was proper to the Roman people, and the second, dating from Octavian which is the universal monarchy. The popes transferred the empire from the Greeks to the Franks, and finally, because of the inability of the Franks to protect the church, the popes again transferred the imperial dignity to the Germans. This disposition of the imperial dignity he judges to be entirely within the competency of the papacy.[48]

Another exponent of the supremacy of the papacy was an Augustinian, Augustinus Triumphus of Ancona whose *Summa de Potestate Ecclesiastica* was probably written about 1320. This treatise is strongly in favor of the direct temporal power of the popes. His principal tenets are; that the papal power alone is directly derived from God, that the pope has both the supreme spiritual and temporal power, and that there can be no appeal beyond the tribunal of the pope. The pope may name and depose emperors at his will, and no imperial decree is valid without papal ratification and approval.[49]

Marsilius of Padua wrote with the help of John of Jandun a work entitled *Defensor Pacis.* This was composed between 1324 and 1326.[50] This treatise is very important because it introduces the idea of popular sovereignty without a shadow of doubt. "*Omnis potestas a populo,*" writes Marsilius, hence Kraus[51] not without reason asserts that Marsilius is the fore-

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Sapere e gli Intendimenti di Roberto d'Angiò, Torino Palermo, 1891. p. 13.

[47]Cf. Cipolla, op. cit., 62-63.

[48]Cf. Cippola, op. cit., 84.

[49]Cf. Kelsen, op. cit., 32.

[50]Cf. Gierke-Maitland, op. cit., Introd. p. lxviii.

[51]op. cit., 760.

runner of modern democracy. Another work written by the same author is entitled *Tractatus de Translatione Imperii,* written either in 1325 or 1326. He holds that there is no necessity for the emperor to be crowned by the pope.

Finally an author to be mentioned in this connection is Guido Vernano of Rimini, a Dominican, who wrote a political treatise entitled *De Reprobatione Monarchiae Compositae a Dante.* This was written sometime between 1327 and 1334, hence after Dante's death. It was written with the intention of refuting the arguments contained in Dante's De Monarchia. He calls Dante a sophist, an instrument of the devil[52] and accuses Dante of many errors, particularly of Averroism.[53] He says that Constantine's donation was but a restoration of that which rightfully belonged to the church, and which was forfeited by the ancient Romans because they were idolaters. Whatever Constantine retained was conceded to him by the pope in order that the emperors might defend and protect the church against heretics and schismatics. Guido Vernano wrote another work, bearing the title *De Potestate Summi Pontificis,* in which he derives the supreme temporal authority of the pope from Christ Himself, who gave Peter both the supreme spiritual and temporal authority.

With Guido Vernano we conclude this brief sketch of the political literature of Dante's time. One can easily perceive that one of the great problems that agitated the minds of political writers, was the relation between church and state.

The contest between the empire and the papacy, and between the papacy and the kings of France was often bitter and acrimonious. Each of the contending powers had their theorists who marshalled their arguments in support of their respective protectors. This literary warfare plainly indicates what a change was taking place within the span of life alloted to Dante. It is especially noticeable that the political prestige of the church is gradually declining, the empire is waning and that Europe and the unity of the Holy Roman Empire is breaking into new powerful and totally independent national states. This condi-

[52]Cf. Kraus, op. cit., 748, note.
[53]Cf. Cipolla, op. cit., 35, note.
[54]Cf. Cipolla, op. cit., 80.

tion is mirrored to a certain extent in the writings of Engelbert of Admont, who upholds the idea of a universal monarchy, yet with distinct feeling of the impending dissolution of the Holy Roman Empire. The Middle Ages were slowly passing away, the prevailing idea of the unity of all mankind becomes dimmed and the ideal of a universal empire or superstate is discarded. Dante ardently defends the empire of his day, and in this he is mediaeval, he insists on the separation of church and state, and in this he is already modern, he demands universal peace and a unification of all mankind, and in this he is ultra-modern.

CHAPTER III

Dante's Philosophy of Law

Dante was not a lawyer by training or profession, but his works exhibit a truly remarkable acquaintance with legal lore. Dante, for a time, was active as a political leader of his native city. This no doubt necessitated at least a cursory knowledge of law; his father was a notary, as also his learned friend and master, Brunetto Latini, from whom Dante acquired much knowledge of both ancient and contemporary jurisprudence. Besides, as Williams remarks:[55] "In Italy in the thirteenth and fourteenth centuries law was pre-eminently a liberal art. It was the prince of humanising studies." Moreover it should be remembered that Dante was a great protagonist of justice for all classes and all peoples of all times. The last book of his Convito, which unfortunately he never wrote, was to treat of justice. It is well known that Dante was a great admirer of Justinian and of the celebrated code which bears his name. Shahan, speaking of Dante's high esteem for Justinian, declares:[56] "The true career of Justinian appears to the mediaeval poet of Italy and Catholicism as that of a 'living justice' inspired by God, as the career of a man who upheld the 'standard sacrosanct' of order and equity, and thereby

> 'placed the world in so great peace
> That unto Janus was his temple closed.' "

One is justified in speaking of Dante's philosophy of law, for he seeks the prime origin of all law, its ultimate foundation, and also its highest purpose. Thus it becomes necessary to preface the study of Dante's political doctrines with a sketch of his teaching on law, for it precedes the state and the organization of humanity which occurs in conformity with God's intellect and will. According to Dante all good proceeds from a unique ultimate source, which is God Himself, hence also law and

[55]Williams, Dante as a Jurist Oxford, 1906. p. 2.
[56]Shahan, The Middle Ages. New York, 1904. p. 104.

justice, being good, have their prime origin in God and are the expression of His will. There really can be no true law which is against the will of God. All human law, inasmuch as it is law, must harmonize with what God wills, and all human justice is and should be but a reflection of Divine justice. Dante says:[57] "God is the most universal cause of all things."[58] Hence mankind and organized society also proceed from the universal cause, God. The entire visible universe is formed acording to the plan in the mind of the First Cause. Therefore Dante says:[59] "Hence it should be known, that as art is found in a threefold degree, namely, in the mind of the artist, in the instrument, and in the matter shaped by art, so we may regard nature in a threefold degree. For nature is in the mind of the prime mover, who is God, then in the firmament (powers of universal nature) as in the instrument, by means of which the likeness of eternal goodness is unfolded in organized matter."[60] Dante tells us what he means by *coelum,* that is firmament or heaven, when he asserts:[61] "The firmament, or sky, or heaven or the visible universe . . . is the instrument of divine art, which is commonly called nature."[62] It should be noted here that Dante carefully distinguishes between God and nature. God, the First Cause, whom he also calls *Deus naturans,* created the visible universe and endowed it with certain inherent powers and laws, according to which it acts and develops or unfolds itself, which is *natura naturans,* or nature considered as active; the visible results of the powers of nature, *natura naturata,* or nature considered as passive, is that which we see developed or organized or unfolded according to the laws of its activity. Dante himself does not use the expressions *natura naturans* and *natura naturata,* but they are serviceable in explaining his thought. This holds good

[57]Convito III, 6.

[58]Iddio è universalissima Cagione di tutte le cose.

[59]De Monarchia II, 2.

[60]Sciendum est igitur, quod quemadmodum ars in triplici gradu invenitur, in mente scilicet artificis, in organo, et in materia formata per artem, sic et naturam in triplici gradu possumus intueri. Est enim natura in mente primi motoris, qui Deus est, deinde in coelo tanquam in organo, quo mediante similitudo bonitatis aeternae in fluitantem materiam explicatur.

[61]De Mon. II, 2.

[62]Coelum . . . organum est artis divinae, quam Naturam communiter appellant.

also in human society and the manner in which it is organized and maintained. Hence also in human society everything should take place in harmony with that which God wills, in accordance with the idea or plan in the mind of God.

Dante continues his reasoning thus:[63] "It is clear then, that law since it is good is firstly in the mind of God: and since all that is in the mind of God, is God Himself, according to the words: 'What was made, in him was life';[64] and God wills Himself most of all, it follows that, inasmuch as law is in God, it is willed by Him. And since will and willed are identical in God, it further follows that God's will is the law itself. And again it follows from this that the law in things is nothing else but a likeness of the will of God. Hence it is that whatever is not in harmony with the will of God, cannot be law; and whatever is in accord with God's will, is law itself. Therefore to seek whether something is done according to law, is nothing else than to seek whether it was done according to what God wills, although the words may differ. It should then be assumed to be true that what God wills in human society must be acknowledged as true and genuine law."[65] We see then that Dante teaches that all law is from God, hence also those laws which are to direct human society. Organized society in acting according to law or that which is willed by God, develops and unfolds the divine pattern of human society and the state as it exists in the mind of God.

We read the following:

"The primal will, that in itself is good,
Ne'er from itself, the Good Supreme, has moved.

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[63]De Mon. II, 2.

[64]John I, 3-4.

[65]Ex his iam liquet quod ius quum sit bonum, per prius in mente Dei est: et quum omne quod in mente Dei est, sit Deus (iuxta illud: 'Quod factum est, in ipso vita erat'); et Deus maxime seipsum velit, sequitur quod ius a Deo, prout in eo est, sit volitum. Et quum voluntas et volitum in Deo sit idem, sequitur ulterius quod divina voluntas sit ipsum ius. Et iterum ex hoc sequitur quod ius in rebus nihil est aliud quam similitudo divinae volutatis. Unde fit quod quidquid divinae voluntati non consonat, ipsum ius esse non possit; et quidquid divinae voluntati est consonum, ius ipsum sit. Quapropter quaerere utrum de iure factum sit aliquid, licet verba alia sint, nihil tamen aliud quaeritur quam utrum factum sit secundum quod Deus vult. Hoc ergo supponatur quod illud quod Deus in hominum societate vult, illud pro vero atque sincero iure habendum sit.

So much is just as is accordant with it;
No good created draws it to itself,
But it, by raying forth, occasions that."

Parad. XIX, 86.[66]

The criterion of a just act is its accordance with the will of God, consequently an unjust act is one which is contrary to the will of God. The question naturally suggests itself, that if we are to act in accordance with the will of God we must know the will of God, or rather what He wills, and how can we know that? Dante himself tells us:[67] "Truly the will of God in itself is invisible, but the invisible things of God are perceived by the things that were created.[68] For although a seal may be hidden, yet the wax impressed by it, bears manifest testimony of it: nor is it strange, if the divine will must be sought by signs, since also the will of man is not perceived by others except by signs."[69] As we discover the will of men by what they do, so also we learn the will of God by carefully examining God's works, for they bear the impression of his will. Hence by studying nature we discover its laws which it has from the One who made it. Therefore Dante says:[70] "That which has been commanded by nature is lawfully observed."[71] This is to be understood in the sense that, that which is prescribed or indicated, or imposed by nature itself is to be followed, for it is in harmony with nature itself, as constituted by God. It is obvious that in the passages just quoted Dante adverts to the natural law, which, as found in things, is the expression of the eternal law as existing in God. Dante expressly mentions the natural law (*lex naturalis*),[72] and he says that nature only imposes law by its effects

[66]La prima Volontà ch'è per sè buona,
Da sè ch'è Sommo Ben, mai non si mosse.
Cotanto è giusto, quanto a lei consuona;
Nullo creato bene a sè la tira,
Ma essa radiando lui cagiona.

[67]De Mon. II, 2.

[68]Rom. I, 20.

[69]Voluntas quidem Dei per se invisibilis est, sed invisibilia Dei, per ea quae facta sunt, intellecta conspiciuntur. Nam occulto existente sigillo, cera impressa de illo quamvis occulto tradit notitiam manifestam: nec mirum, si divina voluntas per signa quaerenda est; quum etiam humana extra volentem non aliter quam per signa cernatur.

[70]De Mon. II, 7.

[71]Illud quod natura ordinavit, de iure servatur.

[72]De Mon. III, 14.

(*natura non imponit legem, nisi suis effectibus*). Hence if we will know the natural law we must study the effects of nature which will reveal the eternal law and plan of the author of nature who is God Himself.

Dante agrees in this with Aquinas who speaks thus of the eternal law:[73] ". . . . The whole community of the universe is governed by Divine Reason. And therefore the plan of government of things, as it is in God the Sovereign of the universe bears the character of law. And because the Divine Reason conceives nothing according to time, but has an eternal concept, therefore it is that this manner of law must be called eternal." St. Thomas also explains that the participation of the eternal law by creatures is natural law. Here are his own words:[74] "Law being a rule and a measure may be in a thing in two ways: In one way as in one ruling and measuring, in another way as in one that is ruled and measured. Hence since all things subject to Divine Providence are ruled and measured by the eternal law, it is manifest that they all participate to some extent in the eternal law, inasmuch by the stamp of that law upon them they have their inclinations to their several acts and ends. But among the rest the rational creature is subject to Divine Providence in a more excellent way, being itself a partaker in Providence, providing for itself and others. Hence there is in it a participation of the eternal law, whereby it has a natural inclination to a due act and end: such participation in the eternal law in the rational creature is called the natural law." In the light of the teaching of the prince of the scholastics Dante's doctrine, concerning the ultimate source of all law, becomes clear and is easily understood.

Dante insists on the necessity of keeping the order of nature or the provisions of nature. This order, he says, cannot be maintained without law, which directs how this order is to be maintained. He writes the following:[75] " . . . Nature arranges things with regard to their capacities; which regard is the foundation of law placed in things by nature. It follows from this that the natural order in things cannot be kept without law, since the foundation of law is inseparably connected with order. There-

[73] 1-2, q. 91, a. 1.
[74] 1-2, q. 91, a. 2.
[75] De Mon. II, 7.

fore it is necessary that order be maintained according to law."[76] We now see that law is in this sense anterior to the organization of human society, or rather men organize and live in accordance with the plan of Him who made man and human society, and the natural order according to which man is to work out his destiny. From this it follows that the state is not the source of all law, for it must primarly maintain the natural order or natural relations between human beings, and should do nothing which is patently in disaccord with the established order of nature and nature's Creator.

However, the order of nature or natural law is often not known, and if known, it is not kept, hence written law was invented which is to show the dictates of natural law and effectively command their observance. Dante writes therefore:[77] "And since in all these voluntary operations there is some equity to preserve and some iniquity to shun; which equity may be lost through not knowing what it is, or through not wishing to follow it; the written Law was invented, both to point it out to us and command its observance."[78] Since then men will not observe law either because they ignore it, or knowing it disobey it, the state writes the law, explains the law, and enforces the law. This precisely is the function of the state and of its officials. Hence Dante continues:[79] "To write it (law), to point it out and enforce it, is constituted the Official in question, namely, the Emperor."[80] Therefore Dante calls the emperor the rider of the human will[81] who constrains men to observe the law, and he deplores the lack of a strong government which could make

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[76]. . . Natura ordinat res cum respectu suarum facultatum; qui respectus est fundamentum iuris in rebus a natura positum. Ex quo sequitur quod ordo naturalis in rebus absque iure servari non possit, quum inseparabiliter iuris fundamentum ordini sit annexum. Necesse est igitur ordinem de iure servari.

[77]Conv. IV, 9.

[78]E conciossiacosachè in tutte queste volontarie operazioni sia equità alcuna da conservare, e iniquità da fuggire; la quale equità per due cagioni si può perdere, o per non sapere qual'essa si sia, o per non volere quella seguitare; trovata fu la Ragione scritta, e per mostrarla e per comandarla.

[79]Conv. IV, 9.

[80]A questa scrivere, mostrare e commandare, è questo Ufficiale posto, di cui si parla, cioè lo Imperadore.

[81]Conv. IV, 9.

men respect the law, especially in Italy of his time. We find:

"The laws exist, but who sets hands to them?"

Purg. XVI. 97.[82]

and also:

"What boots it, that for thee Justinian
The bridle mend, if empty be the saddle?
Withouten this the shame would be the less."

Purg. VI, 88.[83]

Dante here recognizes the necessity of a strong government which should govern according to law and force its subjects to keep the law. At the same time we see here another source of law, namely the state which has the legislative power from which laws take their origin. The basis and foundation of all government is human law. "*Imperii fundamentum ius humanum est,*"[84] says Dante, that is, the foundation of the state is natural law, from which natural law and in accordance with it, proceeds the human law or positive law of the state. The positive law of the state should, however, never encroach on the rights of its subjects based on the nature of things which is, so to speak, an unwritten constitution and a guarantee of the inviolability of what have been called the inalienable rights of men.

Besides the eternal law, the natural law, and the positive written law of the state, Dante recognizes also divine law, which proceeds from God more directly through divine revelation. All divine law, Dante says, is contained in the bosom of the two Testaments.[85] "*Omnis . . . divina lex duorum Testamentorum gremio continetur.*" Thus we see that divine law is revealed by God directly and not simply in nature or indirectly as the natural law is disclosed. Moreover Dante acknowledges canon law or the law which has its origin from the church, and is the positive written law of the church. Dante states[86] that both civil and canon law strive to restrain the avarice and cupidity of men which so often result in the violation of justice. Finally it should

[82]Le leggi son; ma chi pon mano ad esse?
[83]Che val perchè ti racconciasse il freno
Giustiniano, se la sella è vota?
Senz' esso fora la vergogna meno.
[84]De Mon. III, 10.
[85]De Mon. III, 14.
[86]Conv. IV, 12.

be noted that Dante admits that long continued usage (*longa usanza*) is law.[87] In this case the people themselves are the source of law which arises from their well established customs and usages. Hence men originate what may be called the common law of the people.

Having considered Dante's teaching on the origin or source of law let us see what he holds regarding the end, or aim, or purpose of law. We find these words:[88] "Law is the directing rule of life."[89] Law then is to direct or guide us towards some end, and this end, Dante says, is the common good, *finis iuris est commune bonum*.[90] All law then, whatever its origin, is established for the benefit of those who live under its mandates and direction. Hence Dante declares:[91] "Moreover whoever intends the good of the Commonwealth, intends the end of the law."[92] In the same chapter Dante gives a definition of law and explains at length the use and function of law in human society. Here are his own words:[93] "Law is a real and personal proportion of man to man, which, when preserved, preserves society, when destroyed, ruins (society). For that description of the Digests does not state what law is absolutely, but describes it from the standpoint of its use. Hence if this definition comprehends well what (law) is and why it is, and (since) the end of any society whatsoever is the common good of its members; it is necessary that the end of any law whatsoever should be the common welfare, and it is impossible that there be any law not aiming at the common welfare. Therefore Cicero rightly says in the first book of his Rhetoric: 'Laws must always be interpreted for the benefit of the commonwealth.' For if laws are not directed towards the welfare of those who are subject to them, they are laws merely in name, in reality they cannot be laws. For laws should bind men to each other for the common good. Therefore Seneca[94] rightly says of law in his book on the Four Virtues,

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[87]Conv. IV, 26.
[88]De Mon. I, 14.
[89]Est enim lex regula directiva vitae.
[90]De Mon. II, 6.
[91]De Mon. II, 5.
[92]Quicumque praeterea bonum Reipublicae intendit, finem iuris intendit.
[93]De Mon. II, 5.
[94]Dante is mistaken in attributing the quotation to Seneca, for it has been established that Martin, abbot of Dumiens, is its author. It

'Law is the bond of human society.' It is evident then, that whoever intends the good of the commonwealth, intends the end of law.''[95] We perceive that Dante insists that every law have as its aim the common good, and this purposiveness is the criterion by which we are to judge whether a law is a true law or not. Dante points out the very important function of law of binding together the citizens of a state and coördinating their activities for the common welfare.

However, in order that laws may be truly effective they must be kept; those who are subject to them should be loyal to the bond created by the law, loyal to the state which has established them. Dante says:[96] ''Loyalty is following and putting into practice that which is prescribed by the laws.''[97] A citizen is a good or a bad citizen acording as he keeps the law or transgresses it. Dante holds:[98] ''We have the law according to which a citizen is said to be good and bad.''[99] Those that violate the law must be punished, but Dante teaches that punishment should be proportioned to the crime. We find that his principle of penology is:

> ''So that the sin and dole be of one measure.''
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> Purg. XXX, 108.[100]

Only those can punish who have legal jurisdiction over the

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is to be found in the fourth chapter of his work entitled Formula Honestae Vitae sive De Quatuor Virtutibus Cardinalibus which was written in the latter part of the sixth century. Cf. Henry, Aurelia. De Monarchia. Boston, 1904. p. 89, note 5.

[95]Ius est realis et personalis hominis ad hominem proportio, quae servata hominum servat societatem, et corrupta corrumpit. Nam illa Digestorum descriptio, non dicit quod quid est iuris, sed describit illud per notitiam utendi illo. Si ergo definitio ista bene quid est et quare comprehendit, et cuiuslibet societatis finis est commune sociorum bonum; necesse est finem cuiusque iuris bonum commune esse, et impossibile est ius esse, bonum commune non intendens. Propter quod bene Tullius in prima Rhetorica; 'Semper,' inquit, 'ad utilitatem Reipublicae leges interpretandae sunt.' Quod si ad utilitatem eorum qui sunt sub lege leges directae non sunt, leges nomine solo sunt, re autem leges esse non possunt. Leges enim oportet homines devincire ad invicem, propter communem utilitatem. Propter quod bene Seneca de lege in libro de quatuor virtutibus, 'Legem vinculum,' dicit, 'humanae societatis.' Patet quod quicumque bonum Reipublicae intendit, finem iuris intendit.

[96]Conv. IV, 27.

[97]Lealtà è seguire e mettere in opera quello che le leggi dicono.

[98]De Vulg. Eloq. I, 16.

[99]Habemus legem secundum quam dicitur civis bonus et malus.

[100]Perchè sia colpa e duol d'una misura.

transgressor of the law. If punishment is not inflicted by a lawful judge it is not a penalty, but an injury done to one on whom it is thus illegally imposed. This we see from the following:[101] "For the sake of agreement it should be known that punishment is not simply a penalty imposed on the wrongdoer, but a penalty inflicted on the wrongdoer by one having penal jurisdiction. Hence, unless a penalty be inflicted by a judge vested with jurisdiction, it is not a punishment, but rather an injury."[102] We see then that Dante insists on sanction of law in order to make it effective. He not only advocates proportional punishment in this life, but he firmly believes in the terrible punishments in the life after death, for all lawbreakers, which he vividly portrays in his Inferno and his Purgatorio. At all events the transgressors of law meet with punishment either in this life or the life to come. The immediate infliction of penalties or the threat of eventual inescapable punishments is the most efficient guarantee of the fulfillment of law.

Dante admits of course, that the laws cannot be the same everywhere nor at all times. They must vary and they must be changed and new laws must be enacted, but caution should be used in introducing new laws, and there must be important reasons for departing from laws long observed to which people have become accustomed. Dante writes:[103] " . . The end of new things is not certain, because we have never had that experience of them whereby we estimate the process and the end of things long known and used. Wherefore the law is impelled to command that a man should take great heed how he enters upon a new road, saying that 'in establishing anything new, manifest reason should be shown for departing from that long used.' " (Hillard's transl.)[104] From this we glean that Dante

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[101]De Mon. II, 13.

[102]Propter convenientiam sciendum quod punitio non est simpliciter poena iniuriam inferentis, sed poena inflicta iniuriam inferenti ab habente iurisdictionem puniendi. Unde nisi ab ordinario iudice poena inflicta sit, punitio non est, sed potius iniuria est dicenda.

[103]Conv. I, 10.

[104]. . . Delle nuove cose il fine non è certo, perciocchè l'esperienza non è mai avuta; onde le cose, usate e servate, sono e nel processo e nel fine commisurate. Però si mosse la Ragione a commandare che l'uomo avesse diligente riguardo, a entrare nel nuovo cammino, dicendo: 'che nello statuire le nuove cose, evidente ragione dee essere quella che partire ne faccia da quello che lungamente è usato.'

was a keen observer of human nature and perceived the numerous disadvantages arising from too frequent change of laws. The principle that laws should not be changed unless there is need for a change, and that a change should not take place without important reasons, is one that can never be disregarded without creating unrest and instability in the body politic. With this we close the review of Dante's philosophy of law. Dante's doctrine on law merits the appellation of philosophy, since he ascends to the prime origin of all law, and scrutinizes its ultimate end or purpose. Dante manifests a thorough acquaintance with both canon and civil law, and also manifests a remarkable knowledge of certain phases of what is today called social psychology, as will appear in the course of this work.

CHAPTER IV

Dante's Concept of the State

Before entering into a detailed study of Dante's politics it is useful to make an inquiry into how he conceived organized groups of men, or what, according to him, is requisite to constitute any state or states. In order to attain to a proper understanding of Dante's concept of the state it is best to institute a comparison of his teaching on this subject with the modern concept of the state. By thus placing the two side by side and by taking as a standard or gauge, or term of comparison some accepted and commonly recognized concept of the state in general, Dante's views are properly placed in relief. It is acknowledged by modern writers on the state that there are certain elements which enter into the concept of the state. These component elements constitute the very essence of the state, and when these are lacking there may be some form of association or grouping of men which, however, cannot claim the appellation of state. A state then must possess certain characteristics by which it can be recognized as a state.[105]

The first requisite for a state is that there be a number of men. This cannot be a small number but a multitude or large number of men combined or grouped together. Dante often uses the terms city, particular kingdom, monarchy, empire, (*civitas, regnum particulare, monarchia, imperium*) these are evidently composed of a multitude of persons sufficient for a state organization. Dante speaks[106] of the parts of the human multitude (*partes humanae multitudinis*) and the totality of the multitude (*ipsa multitudo sive totalitas*). We find the following:[107] "... The whole human race is a whole with reference to certain parts, and, with reference to another whole, it is a part. For it is a whole with reference to particular kingdoms and nations, ... and it is a part with reference to the whole universe."

[105]Cf. Bluntschli, The Theory of the State. Oxford. 1895. p. 15.
[106]De Mon. I, 6.
[107]De Mon. I, 7.

(Church's transl.)[108] It is plain that Dante speaks here of the divisions of the totality of mankind into separate organized portions of the human multitude, into kingdoms or states. From this we perceive that Dante holds that there must be a large number or multitude of men in order to form a state.

Another characteristic of a state in the modern sense is a fixed territory. Dante also admits this requisite for the concept of the state. Here are his own words:[109] "But the Monarch has nothing to desire, for his jurisdiction is bounded only by the ocean; and this is not the case with other princes, whose kingdoms are bounded by those of their neighbors; as, for instance, the kingdom of Castile is bounded by the kingdom of Aragon." (Church's transl.)[110] It is evident that Dante speaks of a definite territory, limited by boundary lines, when he mentions the kingdoms of Castile and Aragon. It must be remembered, however, that when he speaks of the universal empire, he includes all the territory within the confines of the superstate which territory is consequently limited only by the sea. Dante mentions[111] a great many of the states in Europe in his day which had definite boundaries, which, however, were constantly being changed on account of the pride and rapacity of the kings. This is what he says of the kings of England and Scotland:

> "There shall be seen the pride that caused thirst,
> Which makes the Scot and Englishman so mad
> That they within their boundaries cannot rest."
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> Parad. XIX, 121.[112]

Dante acknowledges that boundary lines between the territories of different states are often natural boundary lines, hence he writes of Navarre:

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[108]Humana universitas est quoddam totum ad quasdam partes, et est quaedam pars ad quoddam totum. Est enim quoddam totum ad regna particularia, et ad gentes, . . . et est quaedam pars ad totum universum.

[109]De Mon. I, 11.

[110]Sed Monarcha non habet quod possit optare; sua namque iurisdictio terminatur Oceano solum, quod non contingit principibus aliis, quorum principatus ad alios terminantur; ut puta Regis Castellae ad illum qui Regis Aragonum.

[111]Parad. XIX. 115 ff.

[112]Lì si vedrà la superbia ch' asseta,
Che fa lo Scotto e l'Inghilese folle,
Sì che non può soffrir dentro a sua meta.

"Navarre the happy,
If with the hills that gird her she be armed!"

Parad. XIX, 143.[113]

From these quotations we see that Dante understands that in order that a state may continue its existence, its subjects must be in possession of a portion of territory which is bounded by the limits of contiguous states.

Another component element of the concept of a state is the unity of all who form part of it. The subjects of a state should be united into one comprehensive whole. Now unity and the tendency towards unity is a striking characteristic of all of Dante's writings. No one ever insisted more on the unity of government, and the unity of mankind and its common end, than did Dante. He regards unity as the highest perfection, as something which should be constantly striven for and maintained. Hence he says:[114] "In every kind of things, that is best which has the greatest oneness."[115] This applies also to the state for Dante declares[116] "If we consider one city, whose end is well being and sufficient life, there should be one ruling power, and that not only in good government, but also in a bad government. Otherwise not only the purpose of civil life is missed, but the city ceases to be what it was. Finally if (we consider) one particular kingdom, which has the same purpose as the city, with greater trust in its tranquillity, there should be one king to reign and govern; otherwise not only will those living in the kingdom not attain their purpose, but also the kingdom itself will lapse into destruction."[117] From these words we conclude that for the very safety and continued existence of any state it must be one. The citizens of any state must constitute one

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[113] Beata Navarra,
Se s'armasse del monte che la fascia!

[114] De Mon. I, 15.

[115] In omni genere rerum illud est optimum, quod est maxime unum.

[116] De Mon. I, 5.

[117] Si vero unam civitatem consideremus, cuius finis est bene sufficienterque vivere, unum oportet esse regimen; et hoc non solum in recta politia, sed etiam in obliqua. Quod si aliter fiat, non solum finis vitae civilis amittitur, sed etiam civitas desinit esse quod erat. Si denique unum regnum particulare, cuius finis est is qui civitatis, cum maiore fiducia suae tranquillitatis, oportet esse Regem unum, qui regat atque gubernet; aliter non modo existentes in regno finem non adsequuntur, sed etiam regnum in interitum labitur.

coherent whole under one government if their group is to be a state. This holds true for the whole human race. Dante says:[118] "For then has the human race greatest oneness, when it is all united in one, which can be only when in its totality it is subject to one Prince."[119] Hence we see that if Dante's superstate is ever to exist the entire human race must be so organized as to form a unity under the dominion of one supreme ruler. Acording to Dante unity is best established when there is a unity of wills. He says:[120] "The best condition of the human race depends on the unity of wills."[121]

According to Bluntschli[122] another characteristic common to all states is the distincton between rulers and subjects. We also find this characteristic in Dante's politics. He asserts:[123] "It is necessary that one should rule or govern, whereas others should be ruled or governed."[124] Here we see a clear distinction drawn between the ruling power and its subjects. We find Dante quoting Homer in his favor when he says of the ruler[125] that it is his office to rule others and legislate for them. (*Et huius, ut ait Homerus, est regulare omnes, et leges imponere aliis.*)[126] All cannot rule, some must be subjects and others rulers, for when many contend for the first place the whole community may be destroyed.[127] Hence Dante says[128] that an equal cannot have power over an equal (*par in parem non habet imperium*), and he regards it as a curse and a calamity when in a community there is not a distinction between the ruler and the ruled. He reminds his readers[129] of an ancient imprecation: "May you have an equal in your house." These quotations from Dante plainly manifest his conviction on the necessity of a distinction

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[118]De Mon. I, 8.

[119]Sed tunc genus humanum maxime est unum, quando totum unitur in uno, quod esse non potest, nisi quando uni Principi totaliter subjacet.

[120]De Mon. I, 15.

[121]Genus humanum optime se habens, ab unitate quae est in voluntatibus dependet.

[122]op. cit., p. 17.

[123]De Mon. I, 5.

[124]Oportet unum regulare seu regere, alia vero regulari seu regi.

[125]De Mon. I, 5.

[126]Dante refers to Homer's Odyssey IX, 114. Θεμιστεύει δὲ ἕκαστος παίδων ἠδ' ἀλόχων, quoted by Aristotle, Pol. 1. 2. 6.

[127]Aliquando pluribus praeeminere volentibus, vicinia tota destruitur. De Mon. I, 5.

[128]De Mon. I, 10.

[129]De Mon. I, 5.

between the rulers and the ruled in any organized community or state.

Bluntschli asserts that another characteristic of the state is its organic nature and he holds that it is the special merit of the German school of historical jurists to have recognized the organic nature of the state. However, one should always bear in mind that the words "organic" and "organism" are applied to the state only in a metaphorical sense. When one calls the state an organism it is but an analogy, and I believe that the German historical school of jurists has often pushed this analogy too far. The state simply is not an organism, and has no organs in the biological sense. Truly there is a certain likeness between the body politic and an organism in the biological sense, but there are also considerable differences. I only note here the chief difference between the state and an organism. The state is a group composed of a multitude of conscious individuals endowed with reason and a free will tending towards an ethical aim or end under one common government. The rulers and subjects of a state have rights and duties, and consequently responsibilities, and their activity is guided by moral laws. An organism is not composed of individuals each possessing a will of its own. It does not tend of its own volition towards an end. Neither the organism as a whole or any of its parts have rights and duties and responsibilities. The activity of an organism and of its parts takes place in accordance with physical necessity, hence an organism can break no laws nor do any wrong. It is also to be remarked here that unity and harmony in an organism is not voluntary, whereas in a social group, according to Dante[130] unity and harmony result from a unity of wills (*omnis concordia depended ab unitate quae est in voluntatibus*).

However Dante is well aware of the similarity between an organism and organized society. He writes[131] that as nature produces the thumb, the hand, the arm and finally the whole man for a definite function or end, so also God through nature which is His art, brings into being the individual, the family, village, city, kingdom, and finally the whole human race, all

[130]De Mon. I, 15.
[131]De Mon. I, 3.

with a special end or purpose in view.[132] We see then that Dante is cognizant of the value and utility of the organic concept of the state, and perceives the assistance rendered by this analogy in understanding the complexity of the state.

Hitherto we have been considering Dante's concept of the state which could be applied to any particular state, but as has been noted, Dante holds that there should be a universal empire or superstate. Hence here his idea of the state differs notably from the current modern idea of the state. We have seen that Dante's concept of the state, although it does not exactly coincide with the modern idea of the state, is strikingly similiar to it, excepting this feature of a superstate by which the power of all particular states is limited to a certain extent by the power of the highest official of the superstate. This idea of a universal state, embracing all countries and nations and tribes, is the highest idea of the state. It is indeed the logical extension of the principle of unity. Dante is firmly convinced of the universal brotherhood of all men, he teaches that all are tending towards the same end, and hence there should be some government common to all mankind which would direct and assist all men to attain the end or purpose for which they were born, that is happiness. Particular states cannot abolish wars and the dreadful consequences of wars, hence it is necessary that there be one supreme official or emperor who could keep the kings within their boundaries and maintain peace among them, and thus promote the welfare of the entire human race and consequently also advance civilization. From this we perceive that Dante regards the superstate as a vast coherent whole and moral organism. He beautifully portrays the universal empire:[133] "Wherefore, as the human mind cannot content itself in the possession of restricted territory, but always desires to acquire more territory,[134] as we see by experience, discords and wars

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[132]Quemadmodum est finis aliquis ad quem natura producit pollicem, et alius ab hoc ad quem manum totam, et rursus alius ab utroque ad quem brachium, aliusque ab omnibus ad quem totum hominem; sic alius est finis ad quem singularem hominem, alius ad quem ordinat domesticam communitatem, alius ad quem viciniam, et alius ad quem civitatem, et alius ad quem regnum, et denique ultimus ad quem universaliter genus humanum Deus aeternus arte sua, quae natura est, in esse producit.

[133]Conv. IV, 4.

[134]Katherine Hillard translates "desires to acquire glory" but notes that Giuliani says this should be "more territory." I follow the text of

must arise between kingdom and kingdom. These bring tribulations upon the cities; and through the cities upon their neighborhoods; and through their neighborhoods, upon families, and through families, upon (the individual) man; and thus happiness is prevented. Wherefore in order to put an end to these wars and their causes, the whole earth, and all that the human race is permitted to possess, should be under a monarchy, that is should be a single principality under one prince, who possessing everything, and therefore incapable of further desire, would keep the kings within the limits of their kingdoms, so that peace should abide among them, wherein the cities should repose, and in this repose the neighborhoods should love one another, and in this love the families should supply all their wants; which done, man lives happily; for which end he was born." (Hillard's transl.)[135]

This is truly a sublime idea of the state *par excellence,* the universal monarchy within which peace can best be preserved and the universal brotherhood of man practically established. Hitherto such a state has never been realized, but it appears that the recent World War has done more than any event since the time of Dante, to turn mankind in the direction of some authority which should be above the present national states, and efficaciously prevent the recurrence of such a gigantic struggle as that which we have witnessed in the last few years. We see that Dante's genius rises above the merely national state, and we find all through his works the conviction that the human race, which has one and the same nature, one common ultimate aim or purpose will eventually be united into one supreme or-

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Moore and find "desideri terra acquistare" hence translate as suggested "desires more territory."

[135]Onde conciossiacosachè l'animo umano in terminata possessione di terra non si quieti, ma sempre desideri terra acquistare, siccome per esperienza vedemo, discordie e guerre conviene surgere tra regno e regno. Le quali sono tribulazioni delle cittadi; e per le cittadi, delle vicinanze; e per le vicinanze, delle case; e per le case, dell' uomo; e così s'impedisce la felicità. Il perchè, a questa guerre e alle loro cagioni torre via, conviene di necessità tutta la Terra, e quanto all'umana generazione a possedere è dato, esser Monarchia, cioè uno solo Principato e uno Principe avere, il quale, tutto possedendo e più desiderare non possendo, li re tenga contenti nelli termini delli regni, sicchè pace intra loro sia, nella quale si posino le cittadi, e in questa posa le vicinanze s'amino, in questo amore le case prendano ogni loro bisogno, il quale preso, l'uomo viva felicemente; ch'è quello per che l'uomo è nato.

ganization. I believe it can be stated that no one in the history of the world's literature has ever so clearly, logically and hopefully treated of the universal brotherhood of mankind and of permanent peace under one common government as Dante Allighieri.

However, Dante's solemn proclamation of the necessity of a universal state leaves us curious to know what he thought concerning nationality and language. Dante admits that human affairs are conducted in numerous and different languages, (*permultis ac diversis idiomatibus negotium exercitatur humanum.*)[136] He says also:[137] "If, therefore, the speech of the same people varies (as has been said) successively in course of time, and cannot in any wise stand still, it must necessarily happen that the speech of people living apart and removed from one another will vary in different ways, since they are not rendered stable either by nature or by intercourse, but arise acording to men's inclinations and local fitness." (Ferrers Howell's transl.)[138] We observe here that Dante acknowledges that living tongues change continually, they are not stable, and he leaves those changes entirely to the inclinations of the people inhabiting the various localities where those languages are spoken.

Dante advocates a universal monarchy, but not a universal language, he believes in unity, but not in entire uniformity. Dante writes:[139] that if he should write a Latin commentary on his *canzoni* only the scholars (*letterati*) would understand the commentary, but not the others. The scholars among the Germans and English and other nations would also understand a Latin commentary. (*Anche lo Latino l'avrebbe sposte a gente d'altra lingua, siccome a Tedeschi e Inglesi e altri.*) Latin then in Dante's age was the international language, but it was known and used only by learned men, whereas ordinary people used what he called the vulgar tongue (*Volgare*). He distinguishes

[136]De Vulg. Eloq. I, 6.
[137]De vulg. Eloq. I, 9.
[138]Si ergo per eanden gentem sermo variatur (ut dictum est) successive per tempora, nec stare ullo modo potest, necesse est ut disiunctim abmotimque morantibus varie varietur; ceu varie variantur mores et habitus, qui nec natura nec consortio firmantur, sed humanis beneplacitis localique congruitate nascuntur.
[139]Conv. I, 7.

however, between what he calls the *vulgare illustre, cardinale, aulicum et curiale,* which was the Italian literary language, used by learned men, although they lived in different parts of Italy, and the *vulgaria inferiora*[140] which numbered about fourteen in his day.[141] Dante's writings betray and manifest the forming in his day of national groups bound together by one common language, although the language itself may not yet have arrived at a high degree of perfection and remain split into into various local dialects. We see plainly that Dante is cognizant of the existence of the Italian nationality and its national language, although all the Italians were not united into one body politic. He sees the trend of the time towards the formation of distinct nationalities, and he approves it, as we shall see presently, but he is rigidly opposed to the formation of national states, entirely independent of the emperor.

Dante declares:[142] that he was moved to write the commentaries on his *canzoni* in Italian by the natural love of his own language (*per lo naturale amore della propria loquela*). He mercilessly rebukes[143] those wicked men of Italy who praise the language of others and disparage their own (*malvagi uomini d'Italia, che commendano lo Volgare altrui, e lo proprio dispregiano*). From this we conclude that Dante dearly loved and highly esteemed his mother tongue, and considered it a shameful thing to depreciate the language of one's native country. Yet he holds that it is equally reprehensible to make preposterous claims for one's vernacular or one's birthplace. We read:[144] "For whoever is so offensively unreasonable as to suppose that the place of his birth is the most delightful under the sun . . . such a one, I say, may be allowed, into the bargain, to place his own vernacular (that is, his mother-tongue) before all others."[145] Dante himself is truly broad minded, his genius ascends far above such narrow provincialism. He contrasts his

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[140]De Vulg. Eloq. I, 19.

[141]Quare ad minus quatuordecim vulgaribus sola videtur Italia variari. De Vulg. Eloq. I, 10.

[142]Conv. I, 10.

[143]Conv. I, 11.

[144]De Vulg. Eloq. I, 6.

[145]Nam quicumque tam obscenae rationis est, ut locum suae nationis delitiosissimum credat esse sub sole, hic etiam prae cunctis proprium vulgare licetur, idest maternam locutionem, praeponere.

attitude with narrow-minded provincials in the following words:[146] "But we, to whom the world is our native country, just as the sea is to the fish, though we drank of Arno before our teeth appeared, and though we love Florence so dearly that for the love we bore her we are wrongfully suffering exile . . . we rest the shoulders of our judgement on reason rather than on feeling. And although, as regards our own pleasure or sensuous comfort, there exists no more agreeable place in the world than Florence, still, when we turn over the volumes both of poets and other writers by whom the world is generally and particularly described, and when we reflect in ourselves on the various situations of the places of the world and their arrangement with respect to the poles and to the equator; our deliberate and firm opinion is that there are many countries and cities both nobler and more delightful than Tuscany and Florence, of which I am a native and a citizen; and also that a great many nations and races use a speech both more agreeable and more serviceable than the Italians do." (Ferrers Howell's transl.)[147]

These words are indeed worthy of the greatest protagonist of the universal state in the political literature of all times. He says he is is a citizen of the world, but that in no way prevents him from being a loyal citizen of his beloved Florence, thus showing that the two are quite compatible. Everyone, according to Dante, can take a legitimate pride in his native country and language, permitting all others to do the same, and yet be a citizen of the universal state. We see then that Dante has no objection against national groups, national languages and even national states, provided those states recognize the supreme power of the international and universal superstate. Dante himself by creating, so to speak, the literary language of Italy gave

[146]De Vulg. Eloq. I, 6.

[147]Nos autem cui mundus est patria, velut piscibus aequor, quamquam Sarnum biberimus ante dentes, et Florentiam adeo diligamus ut, quia dileximus, exilium patiamur iniuste, rationi magis quam sensui spatulas nostri iudicii podiamus. Et quamvis ad voluptatem nostram sive nostrae sensualitatis quietem, in terris amoenior locus quam Florentia non existat, revolventes et poetarum et aliorum scriptorum volumina quibus mundus universaliter et membratim describitur, ratiocinantesque in nobis situationes varias mundi locorum, et eorum habitudinem ad utrumque polum et circulum aequatorem, multas esse perpendimus firmiterque censemus et magis nobiles et magis delitiosas et regiones et urbes quam Thusciam et Florentiam unde sumus oriundus et civis; et plerasque nationes et gentes delectabiliori atque utiliori sermone uti quam Latinos.

an impulse to the national idea and the national consciousness the effects of which are felt to-day. For Dante one state does not mean one nationality and one language, I repeat that Dante desires unity but not a dead uniformity.

CHAPTER V

The Origin and Necessity of the State

Dante is relatively little concerned about the origin of organized society and consequently of the state. However, we find the following regarding this important question:[148] "The radical foundation of imperial majesty, according to the truth is the necessity of human civilization, which is ordained to one end, that is to a happy life. Nothing is of itself sufficient to attain this without some external help, since man has need of many things, which one person alone is unable to obtain. And therefore the Philosopher says that man is naturally a companionable animal.[149] And as a man requires for his sufficient comfort the domestic companionship of a family, so a house requires for its sufficient comfort a neighborhood; otherwise there would be many wants to endure which would be an obstacle to happiness. And since a neighborhood cannot satisfy all requirements, there must for the satisfaction of men be the city. Again, the city requires for its arts and manufactures to have an environment, as also for its defence, and to have brotherly intercourse with the circumjacent or adjacent cities, and thence the kingdom." (Sayer's transl.)[150]

Dante, following the footsteps of Aristotle, whom he simply calls the Philosopher, in conformity with the existing vogue, bases the origin of society and the state on the nature of man.

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[148] Conv. IV, 4.

[149] *φύσει πολιτικὸς ἄνθρωπος.* Aristotle, Eth. I. 7. 6.

[150] Lo fondamento radicale della Imperiale Maestà, secondo il vero, è la necessità della umana civiltà, che a uno fine è ordinata, cioè a vita felice; alla quale nullo per sè è sufficiente a venire senza l'aiuto d'alcuno; conciossiacosachè l'uomo abbisogna di molte cose, alle quali uno solo satisfare non può. E però dice il Filosofo, che 'l'uomo naturalmente è compagnevole animale.' E siccome un uomo a sua sufficienza richiede compagnia domestica di famiglia; così una casa a sua sufficienza richiede una vicinanza, altrimenti molti difetti sosterrebbe, che sarebbono impedimento di felicità. E perrochè una vicinanza non può a sè in tutto satisfare conviene a satisfacimento di quella essere la città. Ancora la città richiede alle sue arti e alla sua difensione avere vicenda e fratellanza colle circonvicine cittadi, e però fu fatto il regno.

That is, man's very being constrains him to associate himself with others of his kind. He is such that he must seek the aid of others and also lend them his assistance. Hence man lives in society because he is a social being.

The origin of the state is intimately connected with its end or purpose. Now Dante says that the end of the state is a happy life. That is, man is destined for happiness, and in order to attain it he associates himself with others, that he may obtain it by combined effort. This is another reason of the origin of the state. Man cannot attain it alone, hence association, society, the state originate as a means to an end, and that a necessary means to a necessary end.

In speaking of the mode or procedure of the state's beginning, Dante places the family as the unit of organized society, which unit is composed of individuals. When he speaks of a larger group than the family he names the neighborhood, He does not regard the neighborhood as composed of individuals, but of families or houses. A larger group is the city which especially promotes culture and civilization, and consequently greatly promotes the happiness of men. Cities again must group together to form a larger unit the kingdom, by which peace and tranquillity are to be maintained. One must not forget that whenever Dante speaks of the state, as such, he means the superstate or world monarchy which is to be the culmination of man's social organism, which is the state *par excellence*.

The biological and psychological ground of organized society is still better seen in the following:[151] "Since then mankind has a certain end, and since there is a certain means necessary for the universal end of nature, it necessarily follows that nature aims at obtaining that means. And therefore the Philosopher, in the second book of Natural Learning,[152] well shows that nature always acts for the end. And since nature cannot reach this end through one man, because that there are many actions necessary to it, which need many to act, therefore nature must produce many men and set them to act." (Church's transl.)[153]

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[151]De Mon. II, 7.

[152]Aristotle, Phys. Ause. II, 1.

[153]Quum ergo finis humani generis sit, et sit aliquod medium necessarium ad finem naturae universalem; necesse est naturam ipsum intendere. Propter quod bene Philosophus, naturam semper agere propter finem

Here we see again that nature has a definite purpose to attain, and the means thereto the reproduction and organized activity of men in accordance with the nature with which they are endowed, and to which activity they are urged forward by their very constitution.

Dante carefully distinguishes the nature of man from that of other creatures living about him in this world. What that nature is we glean from the following:[154] "The ultimate power in man is not being simply as such, since the elements also partake of it, nor being in compounds (*complexionatum*), for that is also found in minerals; nor animated being, for the plants have that; nor being endowed with sense perception, since the brutes possess this; but being endowed with intellectual perception (perception through the possible intellect), which sort of being is proper solely to man.[155] . . . It is plain therefore that the distinguishing quality of humanity is the faculty or the power of understanding. And because this faculty cannot be realized in act in its entirety at one time by a single man, nor by any of the individual societies which we have marked, therefore there must be multitude in the human race, in order to realize it." (Church's transl.)[156]

In order to show better the division Dante makes between animals and plants and man I cite a passage from the Convito[157] which I believe will harmonize with the passage just quoted above and with my translation of it. "The vegetative power,

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in secundo de Naturali auditu probat. Et quia ad hunc finem natura pertingere non potest per unum hominem, quum multae sint operationes necessariae ad ipsum, quae multitudinem requirunt in operantibus; necesse est naturum producere hominum multitudinem ad diversas operationes ordinatorum.

[154]De Mon. I, 3.

[155]This is my own translation. I regard the translations of both Church and Henry insufficiently accurate.

[156]Non est ergo vis ultima in homine, ipsum esse simpliciter sumptum, quia etiam sic sumptum ab elementis participatur; nec esse complexionatum, quia hoc etiam reperitur in mineralibus; nec esse animatum, quia sic etiam in plantis; nec esse apprehensivum, quia sic et participatur a brutis; sed esse apprehensivum per intellectum possibilem, quod quidem esse nulli ab homine alii competit. . . . Patet igitur, quod ultimum de potentia ipsius humanitatis, est potentia sive virtus intellectiva. Et quia potentia ista per unum hominem, seu per aliquam particularium communitatum superius distinctarum, tota simul in actum reduci non potest; necesse est multitudinem esse in humano genere, per quam quidem tota potentia haec actuetur.

[157]Conv. III, 2.

whereby one lives, is the foundation upon which one feels, (*si sente*) that is, sees, hears, tastes, smells, and touches; and this vegetative power of itself can be the soul, vegetative, as we see in all plants. The sensitive cannot exist without that. We find nothing that feels, and does not live. And this sensitive power is the foundation of the intellectual, that is of reason; so that, in animate mortals, the reasoning power is not found without the sensitive. But the sensitive is found without reason, as in the beasts, and in the birds, and in the fishes, and in any brute animal as we see. And the soul which contains all these powers is the most perfect of all.'' (Sayer's transl.)[158] This passage certainly throws light on what Dante says regarding the difference between man and other creatures and more clearly brings out the nature of man as he understood it.

It is apparent that in mentioning the possible intellect Dante refers to Aristotle's νοῦς ποιητικός and νοῦς παθητικός.[159] Dante states[160] that his teaching on the soul agrees with that of Averroës as contained in the commentary of the latter on Aristotle's De Anima. It seems, however, that Dante was not thoroughly and personally acquainted with Averroës' doctrine. For it is generally acknowledged today that ''Averroës admits the existence of only one active intellect, and affirms that this belongs in common to the whole human race, that it becomes particularized in individuals, but that each of its emanations becomes finally reabsorbed in the original whole.''[161] This doctrine thoroughly excludes personal immortality which Dante undoubtedly maintains.[162] It seems to me then that Dante rather adhered to the teachings of St. Thomas Aquinas on the

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[158]La potenza vegetativa, per la quale si vive, è fondamento sopra lo quale si sente, cioè vede, ode, gusta, odora e tocca; e questa vegetativa potenza per se può essere anima, siccome vedemo nelle piante tutte. La sensitiva senza quella essere non può: non si trova alcuna cosa che senta, che non viva. E questa sensitiva potenza è fondamento della intellettiva, cioè della ragione: e però nelle cose animate mortali la ragionativa potenza senza la sensitiva non si trova; ma la sensitiva si trova senza questa, siccome nelle bestie e negli ucelli e nei pesci e in ogni animale bruto vedemo. E quella Anima, che tutte queste potenze comprende, è perfettissima di tutte l'altre.

[159]Aristotle. De Anima III, 5.

[160]De Mon. I, 3.

[161]Ueberweg, History of Philosophy. New York, 1893. vol. I, p. 406.

[162]Cf. Hettinger, Die Göttliche Komödie des Dante Alighieri. Freiburg im Breisgau, 1880. p. 431.

active and passive or possible intellect. Maher writes:[163] "Interpreting Aristotle thus benevolently, and developing his doctrine, Aquinas teaches that the function of the active intellect is an abstractive operation on the data supplied by the sensuous faculties to form the *species intelligibiles* in the *intellectus possibilis*. The *intellectus possibilis* thus actuated cognizes what is intelligible in the object. The act of cognition is the concept or *verbum mentale,* by which is apprehended the universal nature or essence of the object prescinded from its individualizing conditions." We see then that Aquinas differs from Averroës in that he regards both the *intellectus agens* and the *intellectus possibilis* as faculties of each individual soul. This harmonizes with Dante's teaching on the immortality of each soul, hence he rather follows Aquinas and not Averroës. It becomes quite plain that when Dante wrote the De Monarchia he really did not know Averroës' teaching on the active and the passive intellect, However he certainly knew it when he wrote the 25th canto of his Purgatorio.

"This is a point
Which made a wiser man than thou once err
So far, that in his doctrine separate
He made the soul from possible intellect,
For he no organ saw by this assumed."

Purg. XXV, 62-66.[164]

Here then we find that Dante regards the doctrine of Averroës as erroneous, and does not agree with him, whereas in the De Monarchia he expressly states that Averroës agrees with him (*et huic sententiae concordat Averrois*).[165] This would indicate that Dante was insufficiently acquainted with Averroës' doctrine when he wrote the De Monarchia. That he did not condemn Siger of Brabant Mandonnet explains[166] by the fact that he did not know that Siger of Brabant was the adversary of St. Thomas.

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[163]Catholic Encyclopedia, vol. VIII, art. Intellect.

[164] Quest' è tal punto
Che più savio di te fe' già errante;
Sì che, per sua dottrina, fe' disgiunto
Dall' anima il possibile intelletto,
Perchè da lui non vide organo assunto.

[165]De Mon. I, 3.

[166]Mandonnet, Siger de Brabant et L'Averroïsme Latin au XIIIme Siècle. Fribourg, 1899. p. 113.

"One can understand that situation by the fact that William of Tocco, the disciple and historian of Thomas Aquinas did not arrive at the knowledge that Siger of Brabant was an Averroist and that Thomas Aquinas had combated him on that field. . . . If the biographer of St. Thomas, a contemporary of Dante who should have sought historical information, was mistaken to such an extent, one cannot be astonished that the author of the Divine Comedy was insufficiently informed regarding Siger of Brabant."[167] It is quite plausible that if Dante did not know the teaching of Siger of Brabant when he wrote the Paradiso he may not have known Averroës' true doctrine at the time he wrote the Convito and the De Monarchia. At any rate there is no passage to be found in Dante's works which would indicate that he ever held the tenets of Averroës as they were, although it appears that he held doctrines in accord with those of Aquinas, and he regarded those of Averroës as being in harmony with those of St. Thomas and his own, at least until he became acquainted with Averroës' philosophy.

However the question arises what does Dante really mean when he says that it is necessary that there should be a multitude in the human genus in order that the possible intellect may be actuated. For he regards this as a[168] "proper operation of the whole body of mankind, for which this whole body of human kind, for which this whole body of men in all its multitude is ordered and constituted, but to which no one man, nor single family, nor single neighborhood, nor single city, nor particular kingdom can attain." (Church's transl.)[169] How the possible intellect is to be actuated Dante himself explains as follows;[170] "The proper function of the human race, taken in the aggregate, is to actualize continually the entire capacity of the possible

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[167]On peut se représenter cette situation par le fait que Guillaume de Tocco, le disciple et l'historien de Thomas d'Aquin, n'est pas arrivé à savoir que Siger de Brabant était averroïste et que Thomas d'Aquin l'avait combattu sur ce terrain. . . . Si l'historien de saint Thomas, contemporain de Dante, ayant dû aller aux informations historiques, s'est mépris à ce point, on ne saurait s'étonner de l'insuffisance des renseignements relatifs à Siger chez l'auteur de la Divine Comédie.

[168]De Mon. I, 3.

[169]Est aliqua propria operatio humanae universitatis, ad quam ipsa universitas hominum in tanta multitudine ordinatur, ad quam quidem operationem nec homo unus, nec domus una, nec una vicinia, nec una civitas, nec regnum particulare pertingere potest.

[170]De Mon I, 4.

intellect, primarily in speculation, then, through its extension and for its own sake, secondarily in action." (Henry's transl.)[171] We see that Dante has already noted that man is what he is, primarily on account of his reason which is distinctive of his nature. The activity of his reason or intellect is his special purpose. Man is not only to grow, live, propagate as the plants and animals but to strive for his particular distinctive happiness which is the activity of his mind. One of man's greatest desires is the desire for knowledge. That desire for knowledge is the sequence of man's nature. Dante says:[172] "Our natural desires . . . are all tending to a certain end; and the desire for knowledge is natural."[173] Precisely by striving for knowledge man actualizes continually the entire capacity of the possible intellect. We must observe in this connection that Dante attributes two functions to the mind.[174] "The use of our mind is double that is to say, practical and speculative (it is practical insomuch as it has the power of acting); both the one and the other are delightful in their use, but that of contemplation is the most pleasing, as has been said above. The use of the practical is to act in or through us virtuously, that is to say, honestly or uprightly, with prudence, with temperance, with courage and with justice. The use of the speculative is not to work or act through us, but to consider the works of God and of Nature. (Sayer's transl.)[175] In order that man might contemplate the works of God and Nature and put into practice, that is profit and advance towards his own happiness he also needs the help of other men in order that by the gradually accumulating results of the efforts of man's intellect humanity may progress in culture, civilization and perfection. This precisely the state,

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[171]Proprium opus humani generis totaliter accepti, est actuare semper totam potentiam intellectus possibilis, per prius ad speculandum, et secundario propter hoc ad operandum per suam extensionem.

[172]Conv. IV, 13.

[173]Li nostri desideri naturali. . . sono a certo termine discedenti; e quello della scienza è naturale.

[174]Conv. IV, 22.

[175]Veramente l'uso del nostro animo è doppio, cioè pratico e speculativo (pratico è tanto, quanto operativo) l'uno e l'altro dilettisissimo; avvegnachè quello del contemplare sia più, siccome di sopra è narrato. Quello del pratico si è operare per noi virtuosamente, cioè onestamente, con Prudenza, con Temperanza, con Fortezza e con Giustizia; quello dello speculativo si è non operare per noi, ma considerare l'opere di Dio e della Natura.

particularly the superstate, should strive to aid and promote since it is the culmination of man's social organization. This I believe is what Dante means when he says, as quoted above, that there must be a multitude in the human race in order that the "*virtus intellectiva*" may be actuated.

It is interesting to note what Kraus says[176] concerning the *propria operatio humanae universitatis*. "This purpose ordained by God (*Deus aeternus arte sua, quae natura est, in esse producit*) is no other than making mankind happy, which is to be striven for by the way of culture. For the first time culture here appears as a standard and as that which is really essential in rendering humanity happy (I c. 3: *finis ultimus civilitatis humani generis* etc.) and therewith Dante very likely must be the first who recognized and expressed the ideas of the modern culture state."[177] I think this explanation of this difficult teaching of Dante finds unusual support in Dante's introduction to the De Monarchia.[178] I quote the following from that truly remarkable introduction. "It very greatly concerns all men on whom a higher nature has impressed the love of truth, that, as they have been enriched by the labour of those before them, so so they also should labor for those who are to come after them, to that end that posterity may receive from them an addition to its wealth. For he is far astray from his duty—let him not doubt it—who having been trained in the lessons of public business, cares not himself to contribute aught to the public good. . . . I desire not only to show the budding promise, but also to bear fruit for the general good, and to set forth truths by others unattempted. For what fruit can he be said to bear who should go about to demonstrate again some theorem of Euclid? or when Aristotle has shown us what happiness is, should show it to us once more? or when Cicero had been the apologist of old age, should a second time undertake its defense? Such

[176]Kraus, Dante. Berlin, 1897. p. 689.

[177]Dieser von Gott geordnete Zweck (Deus aeternus arte sua, quae natura est, in esse producit) ist kein anderer als die auf dem Wege der Cultur zu erstrebende Beglückung des Menschengeschlechtes. Die 'Cultur' erscheint hier zum ersten Male als das eigentlich Wesentliche und Maassgebende in dem Beglückungsprocess der Menschheit (I c. 3: finis ultimus civilitatis humani generis etc.) und Dante durfte damit wol der Erste sein, welcher die Ideen des modernen Culturstaates erkannt und ausgesprochen hat.

[178]De Mon. 8, 1.

squandering of labor would only engender weakness not profit." (Church's transl.)[179] It is easily seen from this that Dante as a member of organized society wished to promote its progress and contribute to its advancement by cristallizing the results of his observations of God and Nature, that society might profit therefrom. Now he could not have done that alone. He himself first became acquainted with the labors of his predecessors and then directed his efforts to the setting forth of truths unattempted by them. We cannot but admire the lofty ideals of this great mind. Hence as Dante maintains, a multitude and that an organized multitude, the state alone can coördinate, protect and foster this great forward movement of humanity seeking its cultural goals and its happiness. Here then is another argument for the origin and necessity of the state, based on man's intellectual nature. The human race by preserving and stratifying its science, its art, its discoveries, and practically applying them, can attain the higher levels of civilization, enlightenment and refinement; and consequently happiness to which all are tending. Hence the state originated because man wants to enjoy the benefits of a higher civilization resulting from it.

Dante deduces the necessity of the state not only from the intellectual, but also from the concomitant voluntary nature of man. Man is not like animals who are guided by instinct alone, but by the dictates of reason which he may or may not follow. We read the following:[180] "Animals are led solely by the instinct of nature."[181] We find also:[182] "Man is moved not by instinct of nature but by reason."[183] Since then man is not guided by blind instinct but by the precepts of reason, it follows

[179]Omnium hominum in quos amorem veritatis natura superior impressit, hoc maxime interesse videtur, ut quemadmodum de labore antiquorum ditati sunt, ita et ipsi posteris prolaborent, quatenus ab eis posteritas habeat quo ditetur. Longe namque ab officio se esse non dubitet, qui publicis documentis imbutus, ad Rempublicam aliquid adferre non curat; . . . Publicae utilitati non modo turgescere, quinimo fructificare desidero, et intentatas ab aliis ostendere veritates. Nam quem fructum ferat ille, qui theorema quoddam Euclidis iterum demonstraret? qui ab Aristotele felicitatem ostensam, reostendere conaretur? qui senectutem a Cicerone defensam, resumeret defendendam? Nullum quippe; sed fastidium potius illa superfluitas taediosa praestaret.

[180]De Vulg. Eloq. I, 2.

[181]Animalia solo naturae instinctu ducuntur.

[182]De Vulg. Eloq. I, 3.

[183]Homo non naturae instinctu sed ratione movetur.

that he must have some rational rules of conduct, some norm which is to guide him singly and collectively towards his purpose and destiny. Dante writes the following regarding free will:[184] "There are also operations which our reason considers and which lie in the act of the will, such as to offend and to rejoice; such as to stand firm in the battle and to fly from it; such as to be chaste and to be lewd; these are entirely subject to our will, and therefore we are called from them good and evil because such acts are entirely our own, for so far as our will can obtain power, so far do our operations extend. And since in all these voluntary operations there is some equity to preserve and some iniquity to shun . . . which equity may be lost through two causes, either through not knowing what it is, or through not wishing to follow it . . . the written Reason, the law was invented, both to point it out to us and to command its observance. Wherefore Augustine says: 'If men could know this, that is, equity, and knowing it would obey it, the written Reason, the law, would not be needful.' " (Sayer's transl.)[185] We see then that man, who is not guided by instinct, but by reason may err from the path that leads him to happiness, either owing to his ignorance, or his malice. Hence a written rule is necessary, this rule is the law which forbids and commands, and this law is enforced by the state, hence the state originates to fill this need for the guidance and direction of humanity. Dante acknowledges with Augustine that if man's present nature were such that he would be neither ignorant nor malicious, a law, a written law enforcible by organized society or the state, would be unnecessary, hence in so far the state would be unnecessary. However the fact is, according to the teaching of the church, and also that of Dante, that owing to original sin

[184]Conv. IV, 9.

[185]Sono anche operazioni che la nostra ragione considera nell' atto della volontà, siccome offendere e giovare; siccome stare fermo e fuggire alla bataglia; siccome stare casto e lussuriare; e questo del tutto soggiacciono alla nostra volontà; e però semo detti da loro buoni e rei, perch' elle sono proprie nostre del tutto; perchè, quanto la nostra volontà ottenere puote, tanto le nostre operazioni si stendono. E conciossiacosachè in tutte queste volontarie operazioni sia equità alcuna da conservare, e iniquità da fuggire; la quale equità per due cagioni si può perdere, o per non sapere qual essa si sia, o per non volere quella seguitare; trovata fu la Ragione scritta, e per mostrarla e per comandarla. Onde dice Augustino: 'Se questa (cioè equità) gli uomini la conoscessero, e conosciuta servassero, la Ragione scritta non sarebbe mestieri.'

man's mind was dimmed, his will was weakened, and at present the whole human race, as a matter of fact, is always more or less ignorant and singularly inclined towards evil. Therefore Dante regards the state as a remedy against the infirmity of sin (*remedium contra infirmitatem peccati*).[186] Dante is well aware of man's propensity to evil; he writes:[187] "Oh nature of ours ever prone to sin." (*Oh semper nostra natura prona peccatis.*) He calls man[188] "a most instable and most variable animal" (*homo instabilissimum atque variabilissimum animal*). It is interesting to note that he calls the emperor the rider of the human will.[189] "It is possible to speak of the Emperor in this manner, if we will represent his office figuratively, and say that he may be the rider of the human will, of which horse how it goes without its rider through the field is evident enough, and especially in miserable Italy, left without any means for its government." (Sayer's transl.)[190] We may infer from this passage of Dante that man is naturally and in fact such an unruly animal that it is necessary for his happiness that he have someone to ride him, that is to guide him (the expression is not intentionally depreciative) in order that he might be happy, and be spared the baneful consequences of his own unruliness. In this we perceive another reason alleged for the necessity of the state and another derivation of its origin.

Dante also attributes the origin of the state to the will of God. God is the Creator of man and He endowed man with the social nature which he possesses. God's Providence also extends over entire humanity. The second book of the De Monarchia is really a philosophy of history based to some extent on the De Civitate Dei of Augustine. In this second book Dante attempts to establish the fact that God in a singular manner protected and guarded the Roman people and their empire. Dante tells us:[191] "That people then, which conquered when all

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[186]De Mon. III, 4.
[187]De Vulg. Eloq. I, 7.
[188]De Vulg. Eloq. I, 9.
[189]Conv. IV, 9.
[190]Sicchè quasi dire si può dello Imperadore, volendo il suo ufficio figurare con una immagine, che egli sia il cavalcatore della umana volontà. Lo qual cavallo come vada senza il cavalcatore per lo campo assai è manifesto, e spezialmente nella misera Italia che senza mezzo alcuno alla sua governazione è rimasa.
[191]De Mon. II, 9.

were struggling for the empire of the world, conquered by the will of God.''[192] Hence if God willed that the Roman people should conquer the world, he willed their organized society, their empire, and consequently their state. From this we are justified in concluding that Dante holds that another reason why the state originated is the will of the Creator, of God Himself. In further support of this statement it must be observed that Dante holds the same view in the Convito.[193] ''Force, then, was not the moving cause, as he believed who was cavilling; but there was an instrumental cause even as the blows of the hammer are the cause of the knife, and the soul of the workman is the moving and efficient cause; and thus, not force, but a cause, even a Divine Cause has been the origin of the Roman Empire.'' (Sayer's transl.)[194] These words of Dante can leave no room for doubt as to his mind on this subject. One plainly perceives that he attributes the origin and necessity of the Roman Empire, and therefore, of the organized state in general, to God.

This then is the teaching of the author of the Divine Comedy on the origin and necessity of the state. This doctrine is based on the studies and researches of the great thinkers preceding Dante, as Aristotle, Cicero, Augustine and Aquinas. Dante manifests a truly wonderful knowledge of the nature of man and his personal observations manifest unusual acumen. Dante conceives the state as an organism analogous to the human body,[195] which is quite in accord with the view of many modern political writers. He shows that the state is the result and consequence of man's intellectual, voluntary and social nature, and that it owes its origin to the will of the Creator of man's nature, that is God Himself.

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[192]Ille igitur populus qui cunctis athletizantibus pro imperio mundi praevaluit, de divino iudicio praevaluit.

[193]Conv. IV, 4.

[194]La forza dunque non fu cagione movente, siccome credea chi cavillava, ma fu cagione strumentale, siccome sono i colpi del martello cagione del coltello, e l'anima del fabbro è cagione efficiente e movente; e così non forza, ma ragione, e ancora divina, è stata principio del Romano Imperio.

[195]Cf. De Mon. I, 3.

CHAPTER VI

The Aims of the State

It may be said that all of Dante's writings are distinctly teleological. This is particularly true of his political doctrines Dante realizes that each individual has an end, aim, purpose or destiny, and that associations of individuals have a purpose or end which they strive to attain. Hence particular states have their ends which should converge to the realization of the one great state, the world monarchy. He says[196] "First, we must ascertain what temporal monarchy is in its idea, as I may say, and in its pupose."[197] He lays down the necessity of seeking out the purpose of the state, for truly on the end in view must depend the organization of the state and the means it will use to attain its end. Dante writes:[198] "Since the first principle and cause of all actions is their ultimate end, and since the ultimate end first puts the agent in motion, it follows that the entire procedure of the means toward an end must derive from the end itself. For the manner of cutting wood to build a house would be other than that of cutting wood to build a ship. So if there exists an end for universal government among men, that end will be the basic principle through which all things to be proved hereafter may be demonstrated satisfactorily." (Henry's transl.)[199]

One cannot but agree with Dante when he insists on the prime importance of the end of human society and of the state. He continues:[200] "We must now determine what is the end of hu-

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[196]De Mon. I, 1.

[197]Primum igitur videndum, quid est quod temporalis Monarchia dicitur, typo ut dicam et secundum intentionem.

[198]De Mon. I, 2.

[199]Quum in operabilibus principium et causa omnium sit ultimus finis (movet enim primo agentem), consequens est, ut omnis ratio eorum quae sunt ad finem, ab ipso fine sumatur. Nam alia erit ratio incidendi lignum propter domum construendam, et alia propter navim. Illud igitur, si quid est, quod est finis universalis civilitatis humani generis, erit hic principium per quod omnia quae inferius probanda sunt, erunt manifesta sufficienter.

[200]De Mon. I, 3.

man society as a whole. . . . In order to discern the point in question more clearly, we must observe that as nature fashions the thumb for one purpose, the whole hand for another, then the arm for a purpose differing from both, and the entire man for one differing from all, so she creates for one end the individual, for another the family, for another the village, for still another end the city, for another the kingdom, and finally for an ultimate end by means of His art which is nature, the Eternal God brings into being the human race in its totality. And this last is what we are in search of as the directive first principle of our investigation." (Henry's transl.)[201] We observe here that Dante uses a strikingly modern analogy to illustrate the purpose or end of the various human groups. He truly regards the state as an organism and holds that as the various parts of the body are functionally coördinated and harmoniously fulfill their several purposes which converge into one, so also the various groups of the human race should tend to their respective ends, but at the same time all should aim at a purpose which is common to all humanity. What this common end of all humanity is, Dante shows in the following[202]: "Wherefore in order to prevent these wars, and to remove the causes of them through all the earth, so far as it is given to the human race to possess it, there must of necessity be Monarchy, that is to say, one sole principality; and there must be one prince, who possessing all, and not being able to desire more, holds the kings content within the limits of the kingdoms so that peace may be between them, wherein the cities may repose, and in this rest the neighboring hamlets may dwell together in mutual love; in this love the houses obtain all they need, which being obtained, men can live happily, which is that end for which man was born."

[201]Nunc autem videndum est, quid sit finis totius humanae civilitatis. . . . Ad evidentian eius quod quaeritur, advertendum, quod quemadmodum est finis aliquis ad quem natura producit pollicem, et alius ab hoc ad quem manum totam, et rursus alius ab utroque ad quem brachium, aliusque ab omnibus ad quem totum hominem; sic alius est finis ad quem singularem hominem, alius ad quem ordinat domesticam communitatem, alius ad quem viciniam, et alius ad quem civitatem, et alius ad quem regnum, et denique ultimus ad quem universaliter genus humanum Deus Aeternus arte sua, quae natura est, in esse producit. Et hoc quaeritur hic tanquam principium inquisitionis directivum.

[202]Conv. IV, 4.

(Sayer's transl.)[203] Dante tells us here that the end of man is happiness, that he was born for happiness, and that he can attain happiness in this life in so far as it is given to the human race to possess it, provided the state maintains peace between the various cities and kingdoms. For only then can man be happy and live in the state of mutual love and harmony. It is to be noted here that according to Dante the great end of the state is to establish and maintain peace, which is man's necessary means to the attainment and secure possession of happiness in this life. However, Dante acknowledges that our happiness in this life is not perfect; we can only reach a certain degree of happiness under favorable conditions, and that finally we are destined for another happiness which awaits us at the end of this earthly sojourn. We read:[204] "If man holds a middle place between the perishable and imperishable, then, inasmuch as every man shares the nature of the extremes, man must share both natures. And inasmuch as every nature is ordained for a certain ultimate end, it follows that there exists for man a twofold end, in order that as he alone of all beings partakes of the perishable and the imperishable, so he alone of all beings should be ordained for two ultimate ends. One end is for that in him which is perishable, the other for that which is imperishable.

Ineffable Providence has thus designed two ends to be contemplated of man: first, the happiness of this life, which consists in the activity of his natural powers, and is prefigured by the terrestrial paradise; and then the blessedness of life everlasting, which consists in the enjoyment of the countenance of God to which man's natural powers may not attain unless aided by divine light, and which may be symbolized by the celestial paradise. . . . Wherefore a twofold directive agent was necessary to man, in accordance with the twofold end; the supreme pontiff to lead the human race to life eternal by means of rev-

[203] Il perchè, a queste guerre e alle loro cagioni torre via, conviene di necessità tutta la Terra, e quanto all' umana generazione a possedere è dato, esser Monarchia cioè uno solo Principato e uno Principe avere, il quale tutto possedendo, li re tenga nelli termini delli regni, sicchè pace intra loro sia, nella quale si posino le cittadi, e in questa posa le vicinanze s'amino, in questo amore le case prendano ogni loro bisogno, il quale preso, l'uomo viva felicemente; ch'è quello per che l'uomo è nato.

[204] De Mon. III, 16.

elation, and the emperor to guide it to temporal felicity by means of philosophic instruction. (Henry's transl.) . . . This therefore is the mark at which he who is to care for the world, and whom we call the Roman Prince, must most chiefly aim at: I mean, that in this little plot of earth belonging to mortal men, life may pass in freedom and with peace." (Church's transl.)[205] We see that the direction of humanity towards its higher end Dante does not confide to the state directly, but to the church under the head and guidance of the supreme pontiff.

However, we find another end or purpose of the state when Dante says the Roman Prince, that is the emperor is to direct mortal men so that their life may pass in freedom and with peace. The state then should not only maintain peace, but guarantee men's freedom. Keeping man free is another one of the great aims of the state. Dante lays great stress on the free will of man which he regards as an essential. Consequently he acknowledges the importance of personality and does not reduce the individual to the position of a cog in a wheel of the great machine of the state. How highly Dante prized the freedom of the will we see from the following:

"The greatest gift that in his largess God
Creating made, and unto his own goodness
Nearest conformed, and that which he doth prize
Most highly, is the freedom of the will,
Wherewith the creatures of intelligence
Both all and only were and are endowed."

Parad. V, 19-24.[206]

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[205] Si ergo homo medium quoddam est corruptibilium et incorruptibilium, quum omne medium sapiat naturam extremorum, necesse est hominem sapere utramque naturam. Et quum omnis natura ad ultimum quendam finem ordinetur, consequitur ut hominis duplex finis exsistat, ut sicut inter omnia entia solus incorruptibilitatem et corruptibilitatem participat; sic solus inter omnia entia in duo ultima ordinetur: quorum alterum sit finis eius, prout corruptibilis est; alterum vero, prout incorruptibilis.

Duos igitur fines Providentia illa inenarrabilis homini proposuit intendendos; beatitudinem scilicet huius vitae, quae in operatione propriae virtutis consistit, et per terrestrem Paradisum figuratur; et beatitudinem vitae aeternae, quae consistit in fruitione divini aspectus ad quam propria virtus ascendere non potest, nisi lumine divino adiuta, quae per Paradisum coelestem intelligi datur. . . . Propter quod opus fuit homini duplici directivo, secundum duplicem finem: scilicet summo Pontifice,

He says also very plainly:[207] "It should be known that the first principle of our freedom is freedom of the will."[208] Why this freedom, namely the freedom of the will, is so important and of such inestimable value, Dante says is because through it we can attain happiness in this life and in the life beyond the grave.[209] "We may understand that this freedom, is, as I said, the greatest gift bestowed by God on human nature, for through it we attain to joy here as men, and to blessedness there as Gods." (Henry's transl.)[210] If then freedom of the will is so important that by it we attain happiness for which we exist, and which is our destiny, both here and in the life to come, and if the state is to direct us towards happiness, it is evident that it is one of the prime duties of the state, one of its most important ends to guarantee the enjoyment of freedom, and preserve the liberty of individuals and groups. Now this is precisely one of Dante's foremost tenets:[211] "Good states aim at liberty, namely that men may live for themselves."[212] From this text it is apparent that Dante regards the maintenance of liberty as an aim and purpose of a good state, which seeks the happiness of its subjects. But it is also evident that Dante emphatically repels all slavery, and all forms of privation of liberty, and political oppression.

From what Dante teaches one logically expects him to hold that the state's end and purpose is to maintain justice, the

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qui secundum revelata humanum genus perduceret ad vitam aeternam; et Imperatore, qui secundum philosophica documenta genus humanum ad temporalem felicitatem dirigeret. . . . Hoc est illud signum ad quod maxime debet intendere curator orbis, qui dicitur Romanus Princeps, ut scilicet in areola ista mortalium libere cum pace vivatur.

[206]Lo maggior don che Dio per sua larghezza
Fesse creando, ed alla sua bontate
Più conformato, e quel ch'ei più apprezza
Fu della volontà la libertate,
Di che le creature intelligenti,
E tutte e sole furo e son dotate.

[207]De Mon. I, 12.

[208]Sciendum est, quod principium nostrae libertatis est libertas arbitrii.

[209]De Mon. I, 12.

[210]Manifestum esse potest, quod haec libertas sive principium hoc totius libertatis nostrae, est maximum donum humanae naturae a Deo collatum, sicut dixi; quia per ipsum hic felicitamur ut homines, per ipsum alibi felicitamur ut Dii.

[211]De Mon. I, 12.

[212]Politiae rectae libertatem intendunt, scilicet ut homines propter se sint.

rendering unto all individuals and all groups of individuals what is due them, and to maintain their rights against infraction and violation. This is exactly his doctrine in this very important matter. He says:[213] "The world is best disposed when justice prevails therein."[214] He maintains further that:[215] "Justice is strongest in the world when it is in one who is most willing and most powerful; only the Monarch is this; therefore, only when justice is in the Monarch is it strongest in the world." (Church's transl.)[216] From these words of Dante we understand that if the world and humanity in general is to attain its end and purpose which is happiness, it must be ruled by justice which is a necessary means for the arrival at happiness and peace and tranquillity. That the state must establish and maintain justice we conclude from what Dante says of the head of the state, of the monarch under whom only, he holds, can justice best prevail. Hence we see here another very definite mission of the state which is the maintenance of justice. Dante says:[217] "Justice, considered in itself and in its distinctive nature, is a certain directness or rule of action avoiding the oblique on either side." (Henry's transl.)[218] Dante also defines justice as a virtue toward others.[219] "For, seeing that justice is a virtue regulating our conduct towards other men, how shall any act according to justice if he has not the power of rendering to all their due." (Church's transl.)[220] From these quotations we may formulate Dante's complete definition of justice in general as follows: justice is a virtue towards others and a rightness or rule by which to everyone is given his due. (*Iustitia est virtus ad alterum et rectitudo sive regula qua cuique quod suum est tribuitur*) This definition harmonizes with the scholastic definitions of justice, particularly with that of St. Thomas who says in his

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[213]De Mon. I, 11.

[214]Mundus optime dispositus est, quum iustitia in eo potissima est.

[215]op. cit., ibid.

[216]Iustitia potissima est in mundo, quando volentissimo et potentissimo subjecto inest: huiusmodi solus Monarcha est; ergo soli Monarchae insistens iustitia in mundo potissima est.

[217]De Mon. I, 11.

[218]Iustitia de se et in propia natura considerata, est quaedam rectitudo sive regula, obliquum hinc inde abiciens.

[219]op. cit., ibid.

[220]Nam quum iustitia sit virtus ad alterum, sive potentia tribuendi cuique quod suum est, quomodo quis operabitur secundum illam.

Summa Theologica:[221] "Justice is a habit whereby with a standing and abiding will one gives everyone his due (*ius suum unicuique tribuit*).

Now it is the duty and the aim of the state to see that every citizen gets his due, that is whatever he has a right to. But if the state is to see that everyone's rights are safely guarded it must rigidly oppose and subdue anything which militates against this great virtue of justice. Dante writes that the worst enemy of justice is cupidity.[222] "The worst enemy of justice is cupidity, as Aristotle signifies in the fifth book to Nicomachus.[223] When cupidity is removed altogether, nothing remains inimical to justice." (Henry's transl.)[224] Logically then the state must do its utmost to control cupidity which is the greatest enemy of justice without which no state can long endure. This cupidity manifests itself in practice by the attempt to amass property and riches in accordance with the law, or if possible, in spite of it. It is not only manifested in the constant struggle of individuals but in groups of individuals in cities and states. This craving for riches, this violation of justice daily jeopardizes the very existence of cities and countries. Hence Dante asks this significant question[225] "And what other thing daily imperils and destroys cities, neighborhoods, individuals, like the amassing of new possessions by some one? Which accumulation inspires fresh desires impossible to fulfill without injury to others." (Hillard's transl.)[226]

That the state should prevent injury to individuals and groups in the rush for wealth, we glean from the following.[227] "And what else are the two laws (I mean the canonical and the civil law) meant to rectify, but that cupidity which, amass-

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[221]2-2, q. 58, 1.
[222]De Mon. I, 11.
[223]Eth. V. 2. 5.
[224]Iustitiae maxime contrariatur cupiditas, ut innuit Aristoteles in quinto ad Nicomachum. Remota cupiditate omnino, nihil iustitiae restat adversum.
[225]Conv. IV, 12.
[226]E che altro cotidianamente pericola e uccide città, le contrade, le singulari persone tanto, quanto lo nuovo raunamento d'avere appo alcuno? Lo quale raunamento nuovi desideri discopre, al fine delli quali senza ingiuria d'alcuno venire non si può.
[227]Conv. IV, 12.

ing riches, ever increases?'' (Hillard's transl.)[228] The state then by its enactments and provisions is to place salutary checks on this prime impulse of man to acquire wealth at the expense of the individual and society at large. The state must watch that the requirements of distributive justice be fulfilled, and Dante asserts that no distributive justice shines forth in the arrival of riches but complete iniquity almost always.[229] Dante observes here rightly that the sudden acquisition of great riches is often accomplished by violating distributive justice, for in the ordinary course of events the wicked and unscrupulous prevail. He says very plainly:[230] ''And I say that many times to the wicked more than to the good comes rich provision, for the unlawful never comes to the good, because they refuse it; and what good man ever would endeavor to enrich himself by force or fraud.'' (Sayer's transl.)[231] It appears from this that it is precisely the wicked ones who must be held in restraint and check by the careful framing of laws by the state, and their enforcement. This is indeed the great end of the state. Dante bitterly upbraids those who commit injustice as we note from the following:[232] ''Ah, miscreants, born beneath an evil star! ye who plunder widows and orphans, who rob the weak, who usurp and seize upon the property of others; and with it furnish forth banquets, give away horses and arms, robes and money; wear superb clothing, build magnificent edifices, and believe this is to be liberal!'' (Hillard's transl.)[233] Dante admits that the state may not be fulfilling its duty in maintaining justice particularly distributive justice, either by unjust laws, or lack of sufficient legislation, or non-enforcement of existing just laws,

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[228]E che altro intende di medicare l'una e l'altra Ragione, Canonica dico e Civile, tanto, quanto a riparare alla cupidità che, raunando ricchezze, cresce?

[229]Conv. IV, 11. Dico che la loro (ricchezze) imperfezione primamente si può notare nella indiscrezione del loro avvenimento, nel quale nulla distributiva giustizia risplende, ma tutta iniquità quasi sempre.

[230]Conv. IV, 11.

[231]E dico che più volte alli malvagi, che alli buoni, pervengono appunto li procacci; che li non liciti a'buoni mai non pervengono, perocchè li rifiutano: e qual buono uomo mai per forza o per fraude procaccerà?

[232]Conv. IV, 27.

[233]Ahi malastrui e malnati! che disertate vedove e pupilli, che rapite alli meno possenti, che furate ed occupate l'altrui ragioni; e di quello corredate conviti, donate cavalli e arme, robe e danari; portate le mirabili vestimenta; edificate li mirabili edifici e credetevi Larghezza fare!

and that the law may be evaded or variously interpreted by those who are rich and powerful. Dante calls Cicero to his aid in excoriating those who enrich themselves and their friends in whatever manner possible.[234] "Listen, obstinate ones, to what Tullius says against you in his offices: 'There are certainly many desirous to be famous and glorious who take away from some to give to others; esteeming themselves as good men, if they enrich their friends by any means whatever.' " (Hillard's transl.)[235]

That a faction or government or functioning power in in control of the state may commit injustice and perpetrate outrages we deduce from what Dante says of his own city of Florence. However, that the state may be just and foster justice, the men in control of the government should be old men whom Dante regards as more prone to be just that others. He says the following:[236] "And because this particular virtue, that is to say Justice, was seen by ancient philosophers to appear perfect in men of this age, (the third age, old age) they intrusted the government of cities to those men who had attained that age; and therefore the college of rectors was called the Senate. Oh, my unhappy, unhappy country! how my heart is wrung with pity for thee whenever I read, whenever I write, anything which may have reference to civil government." (Sayer's transl.)[237] It is evident that Dante regards the maintenance of justice and the effective curtailment of the greed of men as a prime aim of the state since he expects the most just men to be in control of the affairs of the state, particularly since he deplores he violation of justice in his own city of Florence.

In summing up Dante's tenets on the ends of the state we

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[234]Conv. IV, 27.

[235]Udite, ostinati, che dice Tullio contro a voi nel libre degli Officii: 'Sono molti certo desiderosi d'essere apparenti e gloriosi, che tolgono agli altri per dare agli altri; credendosi essere buoni tenuti, se arricchiscono (gli amici) per qual ragione esser voglia.'

Sunt autem multi, et quidem cupidi splendoris et gloriae, qui eripiunt aliis, quod aliis largiantur, iique arbitranter se beneficos in suos amicos visum iri, si locupletent eos quacumque ratione. Cicero, De Off. I, 14.

[236]Conv. IV, 27.

[237]E perchè questa singolar virtù, cioè Giustizia, fu veduta per gli antichi filosofi apparire perfetta in questa età, (nella terza etate, cioè Senettute) il reggimento delle città commisero in quelli che in questa età erano; e però il collegio degli rettori fu detto Senato. O misera, misere patria mia! quanta pietà mi strigne per te, qual volta leggo, qual volta scrivo cosa che a reggimento civile abbia rispetto!

may say that it is primarily happiness which is secured by the maintenance of peace, by safeguarding liberty, by maintaining justice and controlling the greed of men. These then are the most important aims of the state and its purpose.

CHAPTER VII

The Organization of the State

Willoughby rightly distinguishes[238] between the state and the organization of the state which is called government and which asumes various forms even in the history and development of one single people. The state persists the organization of it changes, sometimes suddenly, usually gradually and almost imperceptibly. Dante touches upon the question of the organization of the state, although he gives it comparatively little attention. One may say that, since he definitely declared himself in favor of the monarchical form of government, he does not pause to weigh the particular merits or disadvantages of other forms of government. In this Dante does not differ from contemporary political writers who favor more or less the monarchical form of government. In Dante's age it was the prevailing form of government. The church had always had a monarchical form of government. The empire was a monarchy, and there were kings and princes, not only in Italy, but throughout entire Europe the monarchy was practically the only form of government known. Dante had little opportunity of studying other forms of government actually in existence except those of Italy. Italy after the weakening of the empire, was largely under the dominion of petty princes and demagogues, whe were real tyrants. The sight of constant bloody strife in his own democratic city of Florence inspired Dante with little confidence in a democratic form of government, but on the contrary, accentuated his preference for some strong monarchical form of government which could quell the distressing party strife and maintain that peace which he so ardently longed for and desired. It should not be surprising then, that Dante, although he sincerely loved and was supremely interested in the well-being of his native city and humanity in general, should lend his preference for the monarchy. It must be remembered, however, that if Dante advocates monarchy, it is the world mon-

[238]Willoughby, An Examination of the Nature of the State. New York, 1896. p. 8.

archy with which he is concerned, and not with the governments of particular countries or localities or municipalities.

It seems that Dante allowed the existence of other forms of government for particular localities or cities, but only under the supreme control of the one universal monarch. We read the following:[239] " . . . The human race is in the best condition of well-being when it is free. This will become manifest when the principle of freedom becomes known. For this reason it should be known that the first principle of our freedom is the freedom of choice (*libertas arbitrii*)."[240] Dante proceeds to show that animals have not this freedom of choice. They are impelled to act by their appetites or animal instincts, and not owing to their judging whether a thing is good or bad, advantageous or disadvantageous and their choosing the good or advantageous. In other words their actions are determined, while men's acts are not determined, for man may choose to act or not to act, and if he acts it is a selective act. Hence Dante continues:[241] "Seeing this it again becomes manifest, as I have said, that this freedom, or this principle of our entire freedom, is the greatest gift conferred on human nature by God; for by it we are made happy here as men by it we are made happy elsewhere as gods. If this is so, who is there who will not say that the human race is in the best condition of well-being when it can avail itself of this principle most unobstructedly. But it is most free when under a Monarch. Wherefore it should be known, that that is free, which is for its own sake and not for the sake of another as the Philosopher holds in his writing on Being as Such. For that which is for the sake of another is restricted by that for whose sake it is, as a route is determined by a destination."[242] I interpose here a brief observation on the words just

[239] De Mon. I, 12.

[240] . . . Humanum genus, potissime liberum, optime se habet. Hoc erit manifestum, si principium pateat libertatis. Propter quod sciendum est, quod principium nostrae libertatis est libertas arbitrii.

[241] op. cit. ibid.

[242] Hoc viso, iterum manifestum esse potest, quod haec liberfas, sive principium hoc totius libertatis nostrae, est maximum donum humanae naturae a Deo collatum, sicut dixi; quia per ipsum hic felicitamur ut homines, per ipsum alibi felicitamur ut Dii. Quod si ita est, quis erit qui humanum genus optime se habere non dicat, quum potissime hoc principio possit uti? Sed existens sub Monarcha est potissime liberum.

quoted. It is of paramount importance to note that Dante perceives the necessity of applying some standard or norm or gauge or criterion by which one may judge the merits of any particular form of government. And this is the criterion: That government is best, or that state is best organized which best fulfills its purpose, which is the welfare and happiness of its subjects. Now the well-being of man is then best provided for, when men's freedom and liberty is guaranteed and maintained. But liberty is rendered most secure under the administration and protection of one supreme monarch. Hence that highest form of government of one supreme monarchy is the best for mankind in general. Furthermore that form of government, whatever be its peculiar local organization, is a good government in which its subjects are governed for their own sake, for their own welfare, and not for the sake of one person, or a chosen few, or a party, to the detriment of all except those temporarily in control of the government. A good government should guarantee the liberty and provide for the welfare of all within its scope, and not be interested solely in one person, or a few most prominent, or one party or faction. A government should govern for the benefit of all, and the welfare of none of its subjects should be subordinated to the welfare of an individual or groups of individuals to the exclusion of others.

Dante continues:[243] "Only when a Monarch rules is the human race for its own sake and not for the sake of another, for then only are deviating governments righted, namely, democracies, oligarchies and tyrannies, which force mankind into slavery, as is patent to one searching into all of them; and (then only) kings, aristocrats called optimates and the lovers of the freedom of the people, rightly govern. For, since the Monarch loves men very much, as has already been noted, he wishes all men to become good, which cannot be the case with those who govern unfairly. Hence the Philosopher says in his Politics; that under a bad government a good man is a bad citizen; but under a good government a good man and a good citizen are inter-

Propter quod sciendum, quod illud est liberum quod suimet gratia est, ut Philosopho placet in iis quae de simpliciter Ente. Nam id quod est alterius gratia, necessitatur ab illo, cuius gratia est; sicut via necessitatur a termino.

[243]De Mon. I, 12.

changeable. And such good governments aim at liberty, namely, that men may be for their own sake."[244]

From the foregoing words of Dante we perceive that Dante divides all forms of government into two classes, good governments (*politiae rectae*) and bad governments (*politiae obliquae*). Good governments are those that aim at the liberty of all the governed, bad governments are those that aim at the liberty of one class or faction. Dante observes that any form of government may become perverted, or deviate from its purpose which is the liberty and happiness of all. There must be some check on all governments, whether they be democracies, oligarchies or tyrannies. This check or regulation of subordinate governments is the office of the supreme monarch. The people themselves are very often unable to vindicate their rights and they are then reduced to slavery. Hence Dante says that such governments are regulated by the monarch who is superior to all those governments. It is to be noted that Dante does not say that oligarchies or kingdoms or democracies should be abolished, only they should be controlled by the one supreme official the monarch. However, Dante maintains that irrespective of the form of the government there must be unity of government, and one person at the head of the government whether it be bad or good, otherwise it cannot maintain itself. Here are his own words:[245] "If we consider one city, whose end is well-being and sufficient life, there should be one ruling power, and that not only in a good government, but also in a bad government. Otherwise not only the purpose of civil life is missed, but the city ceases to be what it is. Finally if we consider one particular kingdom, which has the same purpose as the city, with greater trust in its tranquillity, there should be one king to reign and govern; otherwise not only will those living in the kingdom not attain their pur-

[244]Genus humanum, solum imperante Monarcha, sui et non alterius gratia est; tunc enim solum politiae diriguntur obliquae, democratiae scilicet, oligarchiae atque tyrannides, quae in servitutem cogunt genus humanum, ut patet discurrenti per omnes, et politizant reges, aristocratici, quos optimates vocant, et populi libertatis zelatores. Quia, cum Monarcha maxime diligat homines, ut iam tactum est, vult omnes homines bonos fieri, quod esse non potest apud oblique politizantes. Unde Philosophus in suis Politicis ait: Quod in politia obliqua bonus homo est malus civis; in recta vero, bonus homo et civis bonus convertuntur. Et huiusmodi politiae rectae libertatem intendunt, scilicet ut homines propter se sint.

[245]De Mon. I, 5.

pose, but also the kingdom itself will lapse into destruction.''[246]

Dante admits that even a bad government, which governs for the benefit of a certain class or faction, must have some unity and one supreme official, if it is to continue in power, for otherwise it is doomed to destruction. One must not understand Dante in the sense that local or particular monarchies are necessarily good governments, for even a monarchy may be a bad government (*politia obliqua*) and degenerate into a tyranny. Hence we find the following:

''And if on 'rose' thou turnest thy clear eyes,
Thou 'lt see that it hath reference alone
To kings who're many, and the good are rare.''
Parad. XIII, 108.[247]

Dante is well aware that in his time there are kings, marquises, counts and magnates (*reges, marchiones, et comites et magnates*),[248] who although they are monarchs in their respective territories, yet may govern badly and become tyrants, unless they are controlled or regulated by the power of the supreme monarch, whose supremacy they should acknowledge. Dante condemns those kings and princes[249] ''who usurp the helm of public government,'' (*qui gubernacula publica sibi usurpant*), and he further states:[250] ''All mortals shall know that they are free from the yoke of such usurpers'' (*mortales omnes esse liberos a iugo sic usurpantium recognoscent*). He even fearlessly calls for the deposition of usurpers though they be kings and princes, quoting the words of the psalmist:[251] ''Let us break their bonds asunder: and let us cast away their yoke from us.''[252]

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[246]Si vero unam civitatem consideremus, cuius finis est bene sufficienterque vivere, unum oportet esse regimen; et hoc non solum in recta politia, sed etiam in obliqua. Quod si aliter fiat, non solum finis vitae civilis amittitur, sed etiam civitas desinit esse quod erat. Si denique unum regnum particulare, cuius finis est is qui civitatis, cum maiore fiducia suae tranquillitatis, oportet esse Regem unum, qui regat atque gubernet; aliter non modo existentes in regno finem non adsequuntur, sed etiam regnum in interitum labitur.

[247]E se al Surse drizzi gli occhi chiari,
Vedrai aver solamente rispetto
Ai regi, che son molti, e i buon son rari.

[248]De Vulg. Eloq. I, 17.

[249]De Mon. II, 1.

[250]op. cit., ibid.

[251]Ps. II, 3.

[252]Dirumpamus, vincula eorum, et proiciamus a nobis iugum ipsorum. De Mon. II, 1.

He mentions[253] many vicious, unjust and tyrannical monarchs, as Albert of Hapsburg, Philip the Fair of France, the rulers of Scotland and England, the kings of Spain and Bohemia, the king of Apulia, and numerous kings and princes who brought dishonor on their crowns and misfortune on themselves and their subjects. Dante expects the people to protect themselves from invasion and misrule, since he says:

"O happy Hungary, if she let herself
Be wronged no farther! and Navarre the happy,
If with the hills that gird her she be armed."

Parad. XIX, 142.[254]

From this we may also conclude that the people have a right to defend themselves against a monarch who violates their rights and misgoverns them.

Dante's attitude toward tyranny and oppression is evinced from the terrible punishment he metes out to the execrable tyrant Ezzelino in his Inferno.[255] Ezzelino, a son-in-law of the emperor Frederick II, oppressed the March of Treviso for over thirty years, and, although he was a prominent Ghibelline chief, Dante mercilessly commits him to the seventh circle of hell. He places the notorious Obizzo II of Este, Marquis of Ferrara in the same circle as Ezzelino, also on account of tyranny and misrule.

Regarding Dante's views on monarchy, it may be stated that he upholds the principle of unity of government with one highest official at its head, whatever government that may be. Dante agrees with Aristotle[256] that when there are many things forming one whole there should be one ruling power:[257] "There, on his venerable authority it is asserted, that when a number of things are disposed towards one purpose, it is necessary that one of them should regulate or rule, whereas the others should be regulated or ruled."[258] Dante maintains that this holds true

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[253]Parad. XIX, 115 ff.

[254]O beata Ungaria, se non si lascia
Più malmenare! E beata Navarra,
Se s'armasse del monte che la fascia!

[255]Inf. XII, 110.

[256]*ὅσα γὰρ ἐκ πλειόνων συνέστηκε καὶ γίνεται ἕν τι κοινόν, εἴτε ἐκ συνεχῶν εἴτε ἐκ διῃρημένων, ἐν ἅπασιν ἐμφαίνεται τὸ ἄρχον καὶ τὸ ἀρχόμενον, καὶ τοῦτ' ἐκ τῆς ἁπάσης φύσεως ἐνυπάρχει τοῖς ἐμψύχοις·* Pol. I. 5. 3.

[257]De Mon. I, 5.

[258]Adserit enim ibi venerabilis eius auctoritas, quod quando aliqua

even in the family, where there should be one head, also in a village.[259] "If we consider a single village whose end is the welfare of persons and security of property, there must be one regulator of the others, appointed by some one else, or with their consent the most prominent among them; otherwise that mutual sufficiency not only will not be attained but sometimes whilst many strive to be first even the whole neighborhood is destroyed."[260] From this we see that Dante regards monarchy from the philosophical point of view, and points out the excellence, nay even the necessity of a unified government in any community which desires peace and security. But just as the struggle of rivals for supremacy in a village may bring misfortune on it, so also the strife of party leaders in a city, or of kings seeking to dispossess one another, is a source of danger for entire states and even for entire mankind. Hence Dante, in accordance with his principle of unity, logically and consequentially advocates one supreme offiice, that of the universal monarch, who should be ever vigilant for the peace of the world. Dante thus defines this highest office:[261] "Temporal Monarchy which is called the Empire, is then one governmental authority over all temporal governments or in those things and over those thnigs which are measured by time."[262] The office of the supreme monarch is the culmination of the principle of unity of government for the entire human race for all time. It is to be noted here that when Dante speaks of the temporal monarchy and of those things measured by time, he contrasts it with the supreme spiritual power of the church and those things which are not measured by time, that is the spiritual, eternal things whose regulation is left to the church which is to direct mankind to its eternal happiness, whereas the emperor is to guide men to temporal welfare here on earth.

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plura ordinantur ad unum, oportet unum eorum regulare seu regere, alia vero regulari seu regi.

[259]De Mon. I, 5.

[260]Si consideremus vicum unum, cuius finis est commoda tam personarum quam rerum auxiliatio, unum oportet esse aliorum regulatorem, vel datum ab alio, vel ex ipsis praeeminentem, consentientibus aliis; aliter ad illam mutuam sufficientiam non solum non pertingitur, sed, aliquando pluribus praeeminere volentibus, vicinia tota destruitur.

[261]De Mon. I, 2.

[262]Est ergo temporalis Monarchia, quam dicunt Imperium, unicus Principatus, et super omnes in tempore, vel in iis et super iis quae tempore mensurantur.

One may ask what were Dante's views on hereditary monarchy. In answer to this question it must be stated that in Dante's time the office of the supreme monarch or emperor was elective and not hereditary. Dante admits that there are and were electors of the Monarch, but he says they should rather be called proclaimers of divine providence when they exercize the function of electing the emperor.[263] It would appear that Dante is quite indifferent whether the inferior monarchs or kings of various countries are hereditary or not, provided their government is a good government (*politia recta*) for the benefit of all the governed. In case they do not govern well, there is always the power of the supreme monarch who is to control and check them and even deprive them of their authority. Since all rulers are to govern for the benefit of all their subjects, and not for the benefit of themselves, or a few, or a class or party, Dante regards them all as officials and even servants of all of those whom they govern. This we see from the following:[264] "Citizens are not for the sake of consuls, nor a people for the sake of a king, but on the contrary consuls are for the citizens and the king for the people. For as a government is not established for the sake of laws, but laws are made for the government, so those living in accordance with the law are not ordered for the legislator, but rather he for them, as also the Philosopher holds in what he has left us on the present subject. Wherefore it is also evident that, although the consul or king are the lords of others with respect to the means of governing, with respect to the end of government they are the servants of others, and most of all the Monarch who undoubtedly is to be regarded as the servant of all. Hence also one can learn, that the Monarch in making laws is determined by the purpose which he has in view."[265]

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[263]Nec isti qui nunc, nec alii cuiuscumque modi dicti fuerint Electores, sic dicendi sunt; quin potius denunciatores divinae providentiae sunt habendi. De Mon. III, 16.

[264]De Mon. I, 12.

[265]Non enim sunt cives propter Consules, nec gens propter Regem; sed e converso Consules propter cives, et Rex propter gentem. Quia quemadmodum non politia ad leges, quinimo leges ad politiam ponuntur, sic secundum legem viventes, non ad legislatorem ordinantur, sed magis ille ad hos, ut etiam Philosopho placet in iis quae de praesenti materia nobis ab eo relicta sunt. Hinc etiam patet, quod quamvis Consul sive Rex respectu viae sint domini aliorum; respectu autem termini aliorum ministri sunt, et maxime Monarcha, qui minister omnium procul dubio

From this we perceive what a lofty conception Dante has of a ruler, whatever position he may hold, or by whatever name it may be known. We remark also that no one at the head of a government should exercise his functions arbitrarily, but solely with the welfare of the community in view. These words are very important also for the reason that Dante shows the relation of subjects to their government. The subjects are not slaves of the government, they are not simply to be exploited, but the ruler is an official whose duty it is to protect and provide for the welfare of his subjects, and in this way he is their servant. Hence Dante calls the Monarch the highest official and he speaks of the election of the highest official. "*La elezione di questo sommo ufficiale convenia primieramente procedere da quel consiglio che, per tutti provvede, cioè Iddio.*[266]

One must observe that the power of this highest official is limited by its purpose which is the good of the governed. Dante mentions[267] certain laws of the emperor which are binding for all, but he says there are other laws springing from nature which are beyond the range of the emperor's power, and in these matters men are not subject to the emperor.[268] From this we may conclude that the legislative power of the emperor is limited by natural law which he cannot change or alter. Thus if he were to appoint a boy of ten years to public office this would not be in harmony with human nature, for a boy of that age can scarcely be able to hold office. We find another very important expression of the limits of the legislative power of the monarch when Dante states[269] that human law is the foundation of the empire and against which it is not allowed to act. "*Imperii fundamentum ius humanum est. . . . Sic et imperio licitum non est, contra ius humanum aliquid facere.*" It is evident that if laws were passed which are contrary to human nature, they certainly would not be in harmony with the end of the state itself which is the welfare of its subjects. We see then that Dante does not regard the state as omnipotent, on the contrary

habendus est. Hinc etiam iam innotescere potest, quod Monarcha necessitatur a fine sibi praefixo in legibus ponendis.

[266]Conv. IV, 4.

[267]Conv. IV, 4.

[268]Altre leggi sono, che sono quasi seguitatrici di Natura, siccome costituire l'uomo d'etade sufficiente ad amministrare; e di questo non semo in tutto suggetti.

[269]De Mon. III, 10.

he holds that both the government and subjects of the state are bound by the dictates of the laws which are derived from nature.

Concerning the internal organizations of particular states or communities Dante writes:[270] "For nations, kingdoms and states have their peculiarities which must be regulated by different laws."[271] We see then that Dante holds that there can be no fixed rules for the organization of particular states, especially since "customs and conditions vary in different ways, they are not rendered stable either by nature or by intercourse, but arise according to men's inclinations and local fitness."[272] Wherefore since men live in various climates, differ in their degree of civilization and in their customs and habits, their organization into a body politic must take cognizance of the differences found in the various countries and localities. However, in whatever degree of enlightenment a people may be, or wherever there is any sort of government Dante holds with Aristotle that those who are intellectually superior gain ascendancy over the others and rule them, (*intellectu vigentes aliis naturaliter principari*).[273] From this it would appear that those who are mentally most capable are best qualified for public offices. Dante says:[274] "But we see that in instituting public bodies not only the relation of members to each other is considered by the founder, but also their ability to exercise offiices."[275] We perceive that Dante does not ignore the importance of proper fitness for public offices which on account of the responsibility attached to them should be given to capable and responsible persons.

However, not only officials and the highest official have duties and burdens to bear, but each and every citizen has also his share of responsibility. He should obey his government and the laws of his community. As the criterion of a good governor is whether or not he governs for the sake of all his subjects, so also the criterion of a good subject is whether or not he obeys

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[270]De Mon. I, 14.

[271]Habent namque nationes, regna et civitates inter se proprietates, quas legibus differentibus regulari oportet.

[272]Varie variantur mores et habitus, qui nec natura nec consortio firmantur, sed humanis beneplacitis localique congruitate nascuntur. De Vulg. Eloq. I, 9.

[273]De Mon. I, 3.

[274]De Mon. II, 7.

[275]Sed nos videmus quod in collegiis instituendis, non solum ordo collegarum ad invicem consideratur ab instituente, sed etiam facultas ad officia exercenda.

the laws of the land. Dante declares:[276] "We have the law according to which a citizen is said to be good and bad."[277] Dante certainly upholds the dignity and the majesty of the law, and the necessity for every citizen to so regulate his actions that they be in harmony with the law. Since a citizen derives benefit and protection from the government, he is obliged to support the government according to his means, one of the most important obligations being military service especially when his country is in danger. A citizen should be willing to sacrifice even his life for the benefit of the commonwealth. Hence we find:[278] "For if a part should endanger itself for the safety of the whole, man being a part of the state, as is held by the Philosopher in his Politics,[279] should risk himself for the sake of his country, as the less good for the better."[280] The defense of the state then is one of the grave obligations of a citizen, who forms a part of it.

All citizens, of course, cannot hold equal places in the community, some hold higher positions, others occupy lower stages in a well ordered commonwealth. Hence we find:

" 'Now say, would it be worse
For men on earth were they not citizens?'
'Yes' I replied; 'and here I ask no reason.'
'And can they be so, if below they live not
Diversely unto offices diverse?'
'No, if your master writeth well for you.'
So came he with deductions to this point;
Then he concluded: 'Therefore it behooves
The roots of your effects to be diverse.
Hence one is Solon born, another Xerxes,
Another Melchisedec, and another he
Who, flying through the air, his son did lose.' "

Parad. VIII, 115-126.[281]

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[276] De Vulg. Eloq. I, 16.

[277] Habemus legem secundum quam dicitur civis bonus et malus.

[278] De Mon. II, 8.

[279] Aristotle, Pol. I. 2. 14.

[280] Nam si pars debet se exponere pro salute totius, quum homo sit pars quaedam civitatis, ut per Philosophum patet in suis Politicis; homo pro patria debet exponere seipsum, tanquam minus bonum pro meliori.

[281] 'Or di', sarebbe il peggio
Per l'uomo in terra se non fosse cive?'
'Si', rispos'io, 'e qui ragion non cheggio.'

Those, however, who aspire to positions in the community should get them in accordance with their worthiness or merit, hence Dante asserts:[282] "It is manifest that good things are suited to the worthy, the better to the more worthy and the best to the most worthy."[283] Whatever position a citizen may hold he should try to fulfill his duty and thus contribute his part to the safety and welfare of the community. Dante compares the organized state to a ship each of the members of whose crew do their part under the command of the pilot.[284] With this we close our brief survey of Dante's views on the proper organization of any state whatsoever, but still always with the idea of one supreme official of entire organized mankind in mind.

'E può egli esser, se giù non si vive
Diversamente per diversi offici?
No, se il maestro vostro ben vi scrive'.
Sì venne deducendo infino a quici;
Poscia conchiuse: 'Dunque esser diverse
Convien dei vostri effetti le radici:
Per che un nasce Solone, ed altro Xerse,
Altro Melchisedech, ed altro quello
Che volando per l'aere il figlio perse.'

[282]De Vulg. Eloq. II, 1.

[283]Manifestum est quod bona dignis, meliora dignioribus, et optima dignissimis convenient.

[284]Conv. IV, 4.

CHAPTER VIII

The Sovereignty of the State

The word sovereignty did not exist in Dante's time, but as we shall see he had a very clear notion of sovereignty. He uses such expressions as *potenza*,[285] *dominium superius*,[286] *dignitas*,[287] *imperium*,[288] *auctoritas principalis*,[289] *autorità*.[290] All these words have either the meaning of sovereignty or the exercise of sovereignty which can be determined by the manner in which these expressions are used and by their context.

Regarding Dante's teaching on the origin of sovereignty, it must be stated that as God is the origin of all being, of all good, of all law, so He is also the origin of all power, all authority, all sovereignty. Both the supreme spiritual authority of the church and the supreme temporal authority of the state are derived directly from God. The authority of the church is derived from God directly and by the words of God Himself. (*Ecclesia non est effectus naturae sed Dei, dicentis: Super hanc petram aedificabo Ecclesiam meam.*')[291] Dante holds that the church is not an effect of nature, but an institution founded personally by God Himself, who revealed his will in this respect by his own words, and thus conferred the supreme spiritual authority on the church. The state also has its power directly from God or immediately from God. Dante says that he will show that the authority of the state or the temporal authority depends immediately on God.[292] He declares:[293] "Therefore it is evident that the authority of the temporal Monarch descends upon him from the fountain of universal authority

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[285]Conv. IV, 4.
[286]De Mon. III, 10.
[287]De Mon. III, 14.
[288]De Mon. I, 10.
[289]De Mon. III, 7.
[290]Conv. IV, 4.
[291]De Mon. III, 14.
[292]Praefatam (Romani Principatus) auctoritatem immediate dependere a culmine totius entis ostendero, qui Deus est. De Mon. III, 13.
[293]De Mon. III, 16.

(God), without any intervening medium.''[294] However there is a distinction to be noted here, for the temporal authority does not flow from the Fountain head of authority in the same manner as that of the spiritual authority. When Dante shows that the temporal power is derived immediately from God, he is above all concerned in demonstrating that the temporal power is not derived from God through the intervening authority of the vicar of God, that is the pope. Dante writes:[295] ''Although in the preceding chapter, by leading up to an incongruity, it has been shown that the authority of the Empire is not caused by the authority of the supreme Pontiff; yet it has not been entirely proven that it depends immediately on God, except by way of conclusion. For the conclusion is, that if it does not depend on God's vicar, it depends on God.''[296] We see then that when Dante maintains that the authority of the state depends immediately on God, he wishes to show and emphasize that it does not depend on the pope as an intermediary between God and the temporal power. It by no means follows, however, that as the church has been established by God personally and directly by his own words, so also the state or temporal power has been established by God in the same manner. Thus when Dante asserts that the church is not the effect of nature (*Ecclesia non est effectus naturae*)[297] he seems to imply that the *auctoritas Imperii* or the temporal power is the effect of nature, and that it is not the effect of the direct and personal revelation of God (*Dei dicentis*) as is the spiritual authority of the church. We can conclude from this that the authority of the church is not the effect of nature but the effect of God's direct and personal revelation, whereas the temporal power, although it depends on God Himself, and not on the vicar of God, is not the effect of God's direct and personal revelation, but the effect of nature. It should also be remarked here that when Dante says[298]

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[294]Sic ergo patet quod auctoritas temporalis Monarchae, sine ullo medio, in ipsum de fonte universalis auctoritatis (de Deo) descendit.

[295]De Mon. III, 16.

[296]Licet in praecedenti Capitulo, ducendo ad inconveniens, ostensum sit auctoritatem Imperii ab auctoritate summi Pontificis non causari; non tamen omnino probatum est ipsam immediate dependere a Deo, nisi ex consequenti. Consequens enim est, si ab ipso Dei vicario non dependet, quod a Deo dependet.

[297]De Mon. III, 14.

[298]De Mon. III, 14.

that the church does not receive the power to confer authority on the Roman Prince (*virtutem auctorizandi Romanum Principem*) from the natural law (*per legem naturalem*), he contrasts the church with the state which does receive its authority from the natural law. Moreover Dante tells us[299] that the temporal power is prior in time to that of the church, for before the church was founded the empire possessed a plentitude of power. (*Ecclesia non existente, aut non virtuante, Imperium habuit totam suam virtutem.*) Dante can point to a definite point in history, when the spiritual power of the church was founded, and that after mankind and the temporal power had already existed for ages. But he can point out no time when temporal power did not exist. Dante asserts on the authority of Aristotle that when a number of things are disposed for one purpose, it is necessary that one of them rule or govern, whilst the others are ruled or governed.[300] In the case of a single man his intellect governs and rules his other powers, in a family it is the head of the family (*paterfamilias*). Similarly in a village there must be one chief to whose rule others submit. The same holds good for the city, the kingdom and for the entire human race which should have the Emperor or the Monarch at the head of its government.[301] Thus wherever or whenever there was even one family the temporal power already existed, for it is an effect of the nature of man. Hence the human race long existed, and the temporal power was complete in every respect, when at a definite moment in history Christ founded his church. From the foregoing we perceive that the temporal power is the consequence and effect of nature itself. But one may inquire how is it then derived immediately from God, as has been noted, and yet derived from nature? Dante tells us[302] that nature is the organ or instrument of God's art (. . . *organum est artis divinae, quam Naturam communiter appellant*). *He also* says:[303] "That which is received from nature is received from God, but the converse is not true."[304] Hence although the tem-

[299]De Mon. III, 13.

[300]Quando aliqua plura ordinantur ad unum, oportet unum eorum regulare seu regere, alia vero regulari seu regi. De Mon. I, 5.

[301]De Mon. I, 5.

[302]De Mon. II, 2.

[303]De Mon. III, 14.

[304]Quod a natura recipitur, a Deo recipitur, non tamen convertitur.

poral power is derived from nature it is derived from God, whereas, although the spiritual power is derived from God it is not derived from nature.

It should be remembered that both the spiritual and temporal authority are needed on account of man's inability to guide himself after the fall, that is after original sin. Dante says both of the church and state that they are remedies against the infirmity of sin.[305] Dante says[306] that if man had remained in the state of innocence he would need neither church nor state.[307] In the state of innocence man would not need the authority of others to guide him he would be guided by the light of reason alone and would be perfectly happy. But the fall has left man in such an infirm condition that he needs the direction of both spiritual and temporal authority to attain happiness here and hereafter, which is his end. Therefore when Dante declares that the temporal power is the effect of nature (*effectus naturae*), it must be understood in the sense that it is the effect of depraved nature (*effectus naturae, naturae scilicet depravatae*).[308] Although after our redemption by Christ's blood, we again have the possibility of attaining our end, we can only attain it under the direction of the spiritual and temporal power which is to supplant the direction of our intellect, weakened by the fall.

I have gone into the details of Dante's teaching in order to show the origin of the sovereignty of the state. According to Dante the sovereignty of the state is derived from God through nature corrupted by original sin. The principal thing I wish to emphasize here is that Dante teaches that the temporal power or the sovereignty of the state springs from nature and is based on human nature. This is strikingly confirmed by what Dante says of the world empire established by the Romans. Here are his own words:[309] "The Roman people were ordained for empire by nature."[310] We perceive that Dante regards the

[305]Sunt ergo huiusmodi regimina remedia contra infirmitatem peccati. De Mon. III, 4.

[306]op. cit., ibid.

[307]Si homo stetisset in statu innocentiae, in quo a Deo factus est, talibus directivis non indiguisset.

[308]De Mon. II, 13.

[309]De Mon. II, 7.

[310]Romanus populus a natura ordinatus fuit ad imperandum.

sovereignty of the Roman people as springing from nature. Yet, although the temporal power or the state in any case is the result of nature or natural law, hence also in the case of the Romans, the Roman state or the sovereignty of the Roman people was confirmed in an especial manner by divine providence. This is something exceptional and could not be said of the sovereignty of every state. Dante asserts:[311] "That God performed miracles in order to bring the Roman Empire to perfection, is proven by the testimonies of distinguished authors."[312] Dante holds therefore, that God revealed his approbation of the Roman empire and by performing miracles in favor of the world dominion of the Romans, thereby placed the stamp of his approval on that gigantic political structure. Hence Dante expressly mentions that the Roman empire was divinely chosen (*la divina elezione del Romano Imperio*).[313]

One thing that merits our attention is that when Dante speaks of the Roman conquest of the world he attributes it to the Roman people. This would show that he held that the sovereignty of the temporal power derived from nature is primarily the sovereignty of the people. Thus we find such expressions as the preeminence of the Roman people (*praeeminentia populi Romani*),[314] the most noble Roman people (*Romanus populus nobilissimus*).[315] When Dante mentions the Roman people he means Rome and its citizens (*Roma et cives eius, sive populus*).[316] He writes:[317] "Whilst all were contending for the Empire of the world, the Roman people prevailed."[318] Dante also says of the Roman people:[319] "Cherishing universal peace with liberty, that holy, pious and glorious people is seen to have neglected its own interests in order to provide for the public weal in behalf of the human race."[320] We certainly cannot

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[311]De Mon. II, 4.

[312]Quod autem, pro Romano Imperio perficiendo, miracula Deus portenderit, illustrium auctorum testimoniis comprobatur.

[313]Conv. IV, 5.

[314]De Mon. II, 1.

[315]De Mon. II, 3.

[316]De Mon. II, 7.

[317]De Mon. II, 9.

[318]Romanus populus, cunctis athletizantibus pro Imperio mundi praevaluit.

[319]De Mon. II, 5.

[320]Universali pace cum libertate dilecta, populus ille sanctus, pius et gloriosus, propria commoda neglexisse videtur, ut publica pro salute humani generis procuraret.

agree with Dante when he thus glorifies and idealizes the Roman people, nor are we at all concerned with this feature of Dante's teaching, but we cannot but remark that he recognizes that it was the power of the Roman people which subdued the world, and that the sovereignty of the Roman empire forced its recognition by the other peoples of the world. From this we deduce that Dante believed that sovereignty is located in the people, although it is exercised by its leaders, that is their government. This is borne out by what Dante says of the consent of those who are to be governed by a chief or leader:[321] "It is necessary that there should be one ruler of the others, either appointed by some one else, or one preeminent among them, the others consenting."[322] Hence those belonging to a community have power, possess sovereignty, and they consent to have some one exercise the power or sovereignty which they possess. Dante acknowledges that the one who governs a people or exersizes sovereignty can do so only with the consent of the people, on whom it depends to what ruler they will grant the exercise of their sovereignty; and this is in accordance with natural law. Dante answers an objection[323] to the legitimacy of the Roman dominion which is based on the ground that "the Roman power was acquired, neither by law, neither by a decree of universal consent, but by force which appears to be contrary to law."[324] In answer to this objection Dante does not show that universal consent is not necessary, nor does he attempt to prove that Roman power was acknowledged by universal consent. This would be the ordinary manner to acquire the right to exercise sovereignty over a people, or entire mankind. Dante circumvents the objection by stating that in the case of the Roman power, universal consent was not needed to make it legitimate. He declares that it was not acquired primarily by force, but in accordance with the decree of divine Providence which is above all law.[325] Dante justifies the extension of Roman sovereignty

[321]De Mon. I, 5.

[322]Unum oportet esse aliorum regulatorem, vel datum ab alio, vel ex ipsis praeeminentem, consentientibus aliis.

[323]Conv. IV, 4.

[324]Perocchè la Romana potenza non per ragione, nè per decreto di convento universale fu acquistata, ma per forza, che alla ragione pare essere contraria.

[325]Conv. IV, 4. Onde non da forza fu principalmente preso per la Romana gente, ma da divina Providenza ch'è sopra ogni ragione.

over other peoples and establishes its legitimacy by a direct appeal to divine providence, which is superior to the consent of the governed, which otherwise would be a requisite for the legitimate extension of Roman sovereignty over the other nations. Dante admits that the Romans used force in extending their empire, but he alleges that force was exerted in accordance with law, force being but the instrumental cause.[326] It is important to note here that Dante at all events seeks to maintain the supremacy of law over brute force, of right over might.

Dante asserts[327] that if the church had the power to confer authority on the Roman Prince, it would have it, either from God, from itself, from some emperor, or from the universal consent of mankind, or at least from the majority of mankind.[328] Dante proves that the church has not this power from God. It is impossible that the church should have this power from itself or some other emperor. But the church could have this power, that is supreme temporal power, or the right to exercise sovereign powers if it had the power from the universal consent or mankind. But Dante shows that this is not true, for not only Asia and Africa, but even most Europeans were opposed to the temporal power of the church. From this we conclude that Dante holds that sovereignty is primarily located in the people themselves, who have the right to determine who shall govern them or exercise the sovereignty which remains in their possession. That the sovereignty of the state remains with the people, although they cede its exercise to some prince or emperor, is inferred from the following:[329] "The authority of a prince does not belong to him, he only has its use, for no prince can confer authority on himself, he can receive authority and relinquish it, but he cannot create another prince, for the creation of princely authority does not depend on the prince."[330] I believe that the

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[326]La forza dunque non fu cagione movente, . . . ma fu cagione strumentale; . . . è così non forza, ma ragione, e ancora divina, è stata principio del Romano Imperio. Conv. IV, 4.

[327]De Mon. III, 14.

[328]Si Ecclesia virtutem haberet auctorizandi Romanum Principem, aut haberet a Deo, aut a se, aut ab Imperatore aliquo, aut ab universo mortalium adsensu, vel saltem es illis praevalentium.

[329]De Mon. III, 7.

[330]Auctoritas principalis non est principis nisi ad usum, quia nullus princeps seipsum auctorizare potest; recipere autem potest, atque dimittere, sed alium creare non potest, quia creatio principis ex principe non dependet.

correct interpretation of this passage is that the ruler or the governing power of a community only has the right to exercise sovereignty, it does not give it to itself, but receives it from the governed, that is from the people, who cannot exercise that power themselves, but must confer it on a governing power or a ruler. This ruler or governing power cannot dispose of sovereignty at will, or transfer it to someone else, without the consent of the governed. The ruler can only use that power for the benefit of the entire state, but sovereignty remains in possession of the people. All cannot have the use or exercise of sovereignty, there must be unity in the government of any state and one supreme official, otherwise the state will be destroyed. This we gather from the following:[331] "It is necessary that there be one king, who should reign and govern, otherwise those living in the kingdom do not attain their end, and moreover, the kingdom itself is destroyed, in accordance with the words of the infallible truth: 'Every kingdom divided against itself, shall be brought to desolation.' "[332] According to Dante then no state, at least no larger state can maintain itself if the people or various factions among them, attempt to exercise the sovereignty which they possess. It is an absolute necessity that the exercise of sovereignty be deputed to one highest official and his assistants, otherwise the state will be destroyed and the people will suffer and miss their end which is happiness. Hence although sovereignty is primarily located in the people, they cannot exercise it directly, but must delegate it to a representative, and in him as the highest official the sovereignty of the people is manifested and finds its highest expression. Therefore Dante speaks of the office deputed to the Emperor (*officium deputatum Imperatori*),[333] and he calls the emperor the highest official (*sommo ufficiale*).[334]

The sovereignty of a state is particularly manifested in its independence of any other power. This Dante has shown conclusively. He proves that the state is entirely independent of

[331]De Mon. I, 5.

[332]Luke XI, 17. Oportet esse Regem unum, qui regat atque gubernet; aliter non modo existentes in regno finem non adsequuntur, sed etiam regnum in interitum labitur, iuxta illud infallibilis veritatis: 'Omne regnum in se divisum desolabitur.'

[333]De Mon. III, 10.

[334]Conv. IV, 4

the church and its head the pope. He also demonstrates that the sovereignty of the state is derived from God and is dependent on Him alone. Thus externally the sovereignty of the state is manifested in its independence, internally it is principally manifested by the legislative, judicial, and executive powers of the government of the state. Dante endows the head of his universal empire or superstate with the supreme legislative, judicial and executive power. Speaking of the written law (*Ragione scritta*), he asserts[345] that it is the emperor who writes the law, shows or interprets it and commands its execution.[336] Of course, not only the universal Monarch but the ruler or government of any state, whatever form of government it may be, has those same powers. I take it that when Dante employs the expressions *scrivere, mostrare, comandare,* he refers to the legislative, judicial and executive powers respectively. That the emperor has not only legislative and executive powers, but also the judicial is proven by the fact that Dante calls the emperor a judge (*iudex*) and the empire a jurisdiction (*iurisdictio*).[337]

Another question now presents itself for consideration, and that is whether and how the right to exercise the sovereign powers of the state may be withdrawn from those rulers or governors who abuse the exercise of sovereignty to the detriment of the governed. Dante mentions those who falsely interpret Sacred Scripture;[338] and he says that if they do so from ignorance they should be admonished and pardoned, but if they do so designedly, they should be treated in the same manner as tyrants, who do not follow the laws of the state for the benefit of the public, but seek to twist them for their own advantage.[339] It is plain that Dante speaks here of those who abuse the exercise of the sovereignty of the state, and that something should be done with those who abuse the high powers entrusted to them. But Dante does not tell us what should be done. We may surmise, however, that they should be removed from office and

[335]Conv. IV, 9.

[336]A Questa (Ragione) scrivere, mostrare e comandare, è questo Ufficiale posto, di cui si parla, cioè lo Imperadore.

[337]De Mon. III, 10.

[338]De Mon. III, 4.

[339]Si vero industria, non aliter cum sic errantivus est agendum, quam cum tyrannis, qui publica iura non ad communem utilitatem sequuntur, sed ad propriam retorquere conantur.

even punished. It cannot be ascertained whether or not Dante refers here to a legal removal from office or impeachment. No doubt that for all states, comprising the superstate advocated by Dante, there would be the possibility of a legal deposition of an unworthy sovereign by recourse to the power of the world Monarch. Dante says[340] that all parts of the human multitude, including kingdoms should be subordinated to the one superstate or world monarchy.[341] Thus all states and all rulers are within certain limits, to come under the jurisdiction of the superstate, at the head of which is the world Monarch. We gather from this that the world monarch could depose a ruler or governor who would badly exercise the sovereignty of the people committed to his care. That controversies between two states or between the government and the subjects of any particular state come within the range of jurisdiction of the world Monarch, we see from the following:[342] "It is evident that between any two princes, neither of whom is subordinated to the other, controversy may arise either by their own fault or by the fault of their subjects. . . . It will be necessary to come before the primal and supreme judge, by whose judgment all controversies shall be directly or indirectly decided. And this judge will be the Monarch or Emperor."[343] Thus we perceive that by having recourse to the supreme jurisdiction of the head of the superstate, a ruler or king could be deprived of his right to exercise the sovereignty of a particular state, in a legal, or if one may use the term, constitutional method. This of course, provided the superstate is actually functioning. However, Dante's ideal world monarchy did not actually exist in his time, or any other time, hence it appears that Dante really conceded the people the right to reclaim their sovereign powers from an unworthy ruler by recourse to force, even to revolution.

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[340]De Mon. I, 6.

[341]Et sic omnes partes praenotatae (humanae multitudinis) infra regna et ipsa regna ordinari debent ad unum Principem, sive principatum, hoc est, ad Monarcham, sive Monarchiam.

[342]De Mon I, 10.

[343]Inter omnes duos principes, quorum alter alteri minime subjectus est, potest esse litigium, vel culpa ipsorum, vel etiam subditorum, quod de se patet. Ergo inter tales oportet esse iudicium. . . . Oportebit devenire ad iudicem primum et summum, de cuius iudicio cuncta litigia dirimantur, sive mediate, sive immediate; et hic erit Monarcha, sive Imperator.

We read[344] of certain kings and princes whose yoke should not be tolerated, and Dante exhorts the people in the words of the Prophet: "Let us break their bonds asunder: and let us cast away their yoke from us."[345] This certainly sounds like a call to revolution. Dante proclaims[346] to the people, in speaking of those kings and princes who usurp the helm of public government (*qui gubernacula publica sibi usurpant*), "that all mortals shall know that they are free from the yoke of such usurpers" (*mortales onmes esse liberos a iugo sic usurpantium recognoscent*). Here we see that he solemnly announces that the people are not bound to recognize the illegal exercise of their sovereign powers, and that they should rise against those who have not the right to govern them and cast away their oppressive yoke. It would appear from this that in certain cases as a last resort the people should have recourse to force in order to depose unworthy rulers, and that Dante claims for the people the right to resist those governing them unjustly and against their will, even if they must bring about a revoluton. Dante thus speaks of Hungary:

"O happy Hungary if she let herself
Be wronged no farther!"

Parad. XIX, 142.[347]

Paget Toynbee[348] referring to this passage, says that when Dante expresses the hope that Hungary may no more be ill-treated at the hands of its kings, perhaps did so ironically, since at the time Dante was writing, the occupant of the throne was one of the House of Anjou. However, if we interpret this passage in the light of those quoted above, we are inclined to believe that Dante really concedes the people the right to deprive unworthy rulers of the exercise of sovereignty, even if they must rise in rebellion against them. This would be an unconstitutional or extra-legal action, yet it could be based on the natural law or the human law (*ius humanum*) to which Dante often adverts. In summing up this phase of Dante's teaching, we may say that

[344]De Mon. II, 1.
[345]Dirumpamus vincula eorum, et proiciamus a nobis iugum eorum. Ps. II, 3.
[346]De Mon. II, 1.
[347]O beata Ungaria, se non si lascia
Più malmenare!
[348]Dante Dictionary, p. 547.

he holds that the people, that is the citizens politically organized into one state, can deprive the ruler, who is only an official (*ufficiale*) of the exercise of the sovereign powers of the state of which they are citizens. They can do this either by recourse to the head of the superstate, the emperor, or by methods determined by their public law or constitution, or by revolution, as a last extremity.

Let us now examine to what extent Dante's concept of sovereignty is similar to the modern concept of sovereignty. Bluntschli[349] names five characteristics of sovereignty. The first one, he says, is independence of the authority of any other state. This certainly is a characteristic of Dante's idea of sovereignty, for he proves that the state is independent of the pope and is directly dependent on God alone. It must be noted however, that this is a characteristic of Dante's universal state only. All other states are to a certain extent, dependent on the superstate, hence it must be admitted that this dependence constitutes a limitation of the sovereignty of particular states which are an integral part of the world state. The second characteristic of sovereignty, according to Bluntschli, is supreme public dignity . . . what the Romans called *majestas*. This characteristic is also found in Dante's political doctrine. He speaks of the *Imperiale Maestà*,[350] he calls the emperor *dominus* and *unctus*,[351] also *curator orbis*[352] and Caesar, moreover he regards the emperor as the highest official *sommo ufficiale*.[353] Dante asserts that every authoritative office is an honor[354] (*omnis praelatio est honor*), consequently he who holds the highest office, is the highest representative of the people and entitled to the greatest honor, which is attached to the office and the person who holds the office.

The third distinguishing mark of sovereignty, Bluntschli says is plentitude of public power. Dante speaking of the world Monarch, says:[355] "There should be one, a pilot, as it were, who, considering the divers conditions of the world, and order-

[349]The Theory of the State, p. 495.
[350]Conv. IV, 4.
[351]De Mon. II, 1.
[352]De Mon. III, 16.
[353]Conv. IV, 4.
[354]De Mon. II, 3.
[355]Conv. IV, 4.

ing its different and necessary offices, should have the universal and unquestionable authority to command all."[356] This evinces that Dante would agree with Bluntschli in admitting that plentitude of public power is a note of sovereignty. The fourth characteristic, according to Bluntschli, is that the public power should be the highest in the state. Dante says of the emperor[357] that he is the commander of all the commanders (*perocchè esso è di tutti gli altri comandamenti comandamento*), and consequently the Imperial Majesty and Authority is the highest in human society (*e così si manifesta la Imperiale Maestà e Autorità essere altissima nell'umana compagnia*). We perceive that Dante acknowledges that sovereignty implies the possession of the highest power of the state.

Lastly Bluntschli maintains that unity is a characteristic of sovereignty. I dare say that no one ever insisted more on unity in general, and in particular on the unity of the sovereignty of the state than Dante Allighieri. We read the following:[358] "Therefore, since to divide the Empire would be to destroy it, the Empire consisting in the unity of the universal Monarchy; it is manifest that he who exercises the authority of the empire may not destroy it."[359] Dante says[360] "The Empire may not destroy itself."[361] Regarding Constantine's alleged gift to the church, he maintains[362] that "Constantine could not alienate the sovereignty of the empire."[363] However Constantine could make a grant of territory to the church provided the sovereignty of the Empire remained intact. We read[364] "However the emperor could grant unto the custody of the church estates and other property, provided he did not surrender the sovereignty of the Empire the unity of which can suffer no

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[356]Conviene essere uno quasi nocchiere, che considerando le diverse condizioni del mondo, e li diversi e necessari uffici ordinando, abbia del tutto universale e irrepugnabile ufficio di comandare.

[357]Conv. IV, 4.

[358]De Mon. III, 10.

[359]Quum ergo scindere Imperium esset destruere ipsum, consistente Imperio in unitate Monarchiae universalis; manifestum est quod Imperii auctoritate fungenti scindere Imperium non licet.

[360]op. cit., ibid.

[361]Imperio seipsum destruere non licet.

[362]De Mon. III, 10.

[363]Constantinus alienare non poterat Imperii dignitatem.

[364]De Mon. III, 10.

division.''[365] These quotations exhibit beyond a shadow of doubt that Dante upheld the unity of the sovereignty of the state which he regarded a necessary characteristic of sovereignty. If the state's sovereignty is to be one, it must be indestructible. To divide it would be to destroy it, hence it is indivisible. Dividing it would be alienating it, but it is inalienable, it can never be transferred, hence it is also inviolable. According to Dante then the sovereignty of the state is one, indestructible, indivisible, inalienable and inviolable.

The ruler or highest official of the state uses, as Dante says, or exercises sovereignty, whereas the people primarily possess it. Still the government of the state and the citizens of the state together form one state. A state is composed of the governor and his assistants and of the governed who form one complete whole or the state. Consequently the sovereignty of the state, is the sovereignty of the people under one government, or the sovereignty of the people and of the emperor combined. The people primarily possess sovereignty, but cannot exercise it, the emperor exercises it for the benefit of the citizens, but he does not possess it, and he cannot divide or alienate or destroy it.

Having thus sought out Dante's idea of sovereignty, we remark that it practically coincides or at least is very similar to the modern theories on sovereignty. However, the five characteristics of sovereignty would apply only to Dante's universal empire, for all other states, although they might have all the other marks of sovereignty would not have that of entire independence. By the very fact that they would be subordinated to the superstate in certain things, their independence and consequently their sovereignty would be limited to the extent of their dependence on the universal empire.

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[365]Potuit tamen Imperator, in patrocinium Ecclesiae, patrimonium et alia deputare, immoto semper dominio superiori, cuius unitas divisionem non patitur.

CHAPTER IX

Dante's Philosophy of History

In his attempt to establish on a firm basis the political superstructure of his world monarchy, Dante gives it a historical setting. He endeavors to show that the Holy Roman Empire of his day is the logical and historical sequence of the antique Roman Empire, which was willed by God Himself and brought to its marvelous expansion in accordance with the designs of Divine Providence. He interprets all past events in the sense that they were all harmoniously preordained to culminate in the supremacy of the Romans and the continuity of the mediaeval Roman Empire and his ideal superstate or world monarchy. Dante soars aloft like an eagle and with his searching eye he perceives all the tribes, races and nations of antiquity gradually coming under what Cicero calls the "*patrocinium orbis terrarum,*" of the *Roma aurea, sacra, aeterna.* Such an interpretation is really spectacular, grandiose and sublime. Truly no one before Dante had so systematically presented the glorification of the preëminence of Imperial Rome. From this we perceive that one is justified in speaking of Dante's philosophy of history.

Dante himself admits that he did not always regard the Romans in the light in which he presents them to us in the second book of his De Monarchia. He says:[366] "I myself was once filled with wonder that the Roman people had become paramount throughout all the earth, without any to withstand them; for when I looked at the thing superficially I thought that this supremacy had been obtained, not by any right, but only by arms and violence. But after that I had carefully and thoroughly examined the matter, when I had recognized by the most effectual signs that it was divine providence that had wrought this, my wonder ceased, and a certain scornful contempt has taken its place, when I perceive the nations raging against the preëminence of the Roman people." (Church's transl.)[367] We may con-

[366] De Mon. II, 1.

[367] Admirabar equidem aliquando, Romanum populum in Orbe terrarum sine ulla resistentia fuisse praefectum; quum tantum superficialiter in-

clude from these words of Dante that the philosophy of history which he has given us is the result of years of historical and political study and a riper judgement of a more mature age. He now seeks far deeper causes of Roman supremacy than the mere accounts of their success in war due to their military organization. He searches for the reasons why the Roman hegemony was finally established, why the Roman state survived the many great dangers to which it was exposed, why the Romans should have been victorious throughout so many centuries. And what is worth noting is that he does not attribute the good fortune of the Romans to good luck, or chance or fate, but to the instrumentality of Divine Providence itself. He can find no other satisfactory explanation of the unparrelleled expansion of the Roman empire. In this view of Roman ascendancy he concords with Augustine, who says[368] that nothing is to be attributed or explained by fate.[369] Augustine also states that we should attribute the giving of imperial power to the one true God alone and that God, who does not abandom the human race, gave dominion to the Romans when He so desired and inasmuch as He so willed it.[370]

Dante's main purpose in the glorification and justification of the ancient Roman empire, is to justify the existence and sovereignty of the Holy Roman Empire of the Middle Ages. Since he maintains that the Roman Empire of the Middle Ages is the legal successor to the ancient Roman Empire, or rather its continuation, he logically must firmly establish on legal grounds the right to the empire of the world of the ancient Romans, in order to protect the Roman Empire of his time, and his ideal world monarchy from the attacks on it and the denial of its right to impose its dominion on Europe and the world.

Dante now proceeds to prove the legitimacy of the world dominion of the ancient Romans by proofs from reason and

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tuens, illam nullo iure, sed armorum tantummodo violentia, obtinuisse arbitrabar. Sed postquam medullitus oculos mentis infixi, et per efficacissima signa divinam providentiam hoc effecisse cognovi, admiratione cedente, derisiva quaedam supervenit despectio, quum gentes noverim contra Romani Populi praeeminentiam fremuisse.

[368]De Civitate Dei, V, 9.

[369]Omnia vero fato fieri non dicimus, imo nulla fieri fato dicimus.

[370]op. cit., V, 21. Non tribuamus dandi regni atque imperii potestatem, nisi Deo vero. . . . Ille igitur unus verus Deus, qui nec iudicio, nec adiutorio deserit genus humanum, quando voluit, et quantum voluit, Romanis regnum dedit.

from revelation. It must be remarked here that Dante does not admit that any other people but the Romans of all those who were struggling or had striven for world dominion had ever attained it. He acknowledges the existence[371] of four great empires besides that of the Romans, namely that of the Assyrians, the Egyptians, the Persians and the Macedonians. He says that of all those powers the Macedonians under Alexander the Great came closest of all to world dominion, but that the sudden death of Alexander prevented the establishment of Greek supremacy. He points out also that none of those empires ever attained the geographical extent of that of the Romans, neither were they able to maintain their supremacy as the Romans had succeeded in maintaining theirs.

Dante adduces his first proofs from reason for the legitimacy of Roman jurisdiction. These he takes from history drawing largely from Virgil's Aeneid. I shall not enter into the question whether Dante himself believed all he said regarding the more or less legendary origins of the Roman empire. All those details of Roman history were commonly accepted as facts in his day, hence he simply begins his argumentation from that which was acknowledged and assumed to be true by those whom he sought to convince of the truth of his fundamental propositions.

Dante says[372] that the Romans were the noblest of all nations, hence they were entitled to world dominion and to extend their empire over all mankind. He says that the Romans were ennobled on account of their virtues, and that they were preferred on account of their goodness. The empire of the world is then regarded by Dante as a reward for virtue. I remark that Wegele[373] states that many acknowledged that the Romans were divinely predestined to be the rulers of the world, who would not admit it was a reward for their virtues, and among them he names Augustine. Now while it is true that Augustine points out and condemns the faults of the Romans when he contrasts their empire to his city of God, yet he himself enumerates the many virtues of the Romans, and holds that since they were not to be rewarded in the life to come, they received their reward

[371]De Mon. II, 9.
[372]De Mon. II, 3.
[373]Dante Alighieri's Leben und Werke. Jena, 1879. p. 350.

in this world, for God granted them the glory of a most excellent empire on account of their virtues.[374] We see then that Dante is not alone when he regards the empire as a reward for virtue.

Dante writes that Aeneas the founder and originator of Roman power was most noble. He refers here particularly to Virgil who calls Aeneas the father of the Roman people. Dante says that Aeneas was noble not only in regard to his own virtues, but also on account of the nobility of his forefathers and of his three wives. Dante finds that Aeneas had forefathers from three continents. Assaracus from Asia, Dardanus from Europe, and Electra, his grandmother from Africa. He also brings out that of the wives of Aeneas, one Creusa, the daughter of king Priam, was from Asia, another Dido, queen of Carthage in Africa, and the third Lavinia, the daughter of king Latinus, from Europe. He appeals here to the testimony of Virgil's Aeneid:

> "Quid puer Ascanius; superatne? et vescitur aura?
> Quem tibi iam Troia [peperit fumante Creusa?]"[375]
> "Nec iam furtivum Dido meditatur amorem:
> Coniugium vocat: hoc praetexit nomine culpam."[376]
> " . . . Vicisti; et victum tendere palmas
> Ausonii videre; tua est Lavinia coniux:"[377]

Dante believes that these things are sufficient evidence in support of his contention that Aeneas himself was most noble and hence the Romans themselves the noblest of all peoples. Moreover he

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[374]De Civitate Dei, V, 15. Quibus ergo non erat Deus daturus vitam aeternam cum sanctis Angelis suis in civitate sua coelesti, ad cuius societatem pietas vera perducit, quae non exhibet servitutem religionis, quam λατρείαν Graeci vocant, nisi uno vero Deo; si neque eis hanc terrenam gloriam excellentissimi imperii concederet, non redderetur merces bonis artibus eorum, id est virtutibus, quibus ad tantam gloriam pervenire nitebantur. De talibus enim, qui propter hoc boni aliquid facere videntur, ut glorificentur ab hominibus, etiam Dominus ait, Amen dico vobis, perceperunt mercedem suam (Matth. VI, 2.). Sic et isti privatas res suas pro re communi, hoc est republica, et pro eius aerario contempserunt, avaritiae restiterunt, consuluerunt patriae consilio libero; neque delicto secundum suas leges, neque libidini obnoxii: his omnibus artibus tanquam vera via nisi sunt ad honores, imperium, gloriam: honorati sunt in omnibus fere gentibus; imperii sui leges imposuerunt multis gentibus; hodieque litteris et historia gloriosi sunt pene in omnibus gentibus. Non est quod de summi et veri Dei iustitia, conquerantur: perceperunt mercedem suam.

[375]Aeneid III, 339.

[376]Aeneid IV, 171.

[377]Aeneid XII, 936.

sees in this double meeting of blood from the three parts of the world in one man a sign of divine predestination.

Dante mentions both the personal nobility of Aeneas and that of his forefathers or the nobility of blood. In his Convito[378] Dante does not wish to recognize nobility of birth or of riches and only regards personal excellency as a patent to nobility. Yet here in the De Monarchia he vaunts not only the personal excellency of Aeneas, but also his noble birth and ancestry. It would seem that Dante irrespective of his ideal personal nobility has been forced to deal with nobility of birth and riches as an historical fact, ever present and ever recurring. His historical and political studies probably drew his attention to this conservative and stabilizing element in the organization of the state. Dante proceeds to show how God showed his approval of the rise of Roman supremacy by miracles in its behalf. He refers to Livy's authority and to that of Lucan for the incident of the shield which fell from heaven whilst Numa Pompilius was offering sacrifice. The cackling of geese which saved the Capitol from the Gauls, a sudden hail storm which detained Hannibal's onslaught on the city of Rome, Cloelia's escape from Porsena and her swimming across the Tiber, are related by Dante as miracles and signs of divine intervention in favor of Rome.

Dante says[379] that the Roman Empire springs from the fountain of piety. The Romans in bringing the whole world into subjection aimed at the good of the state and hence at the end of right. He says that this holy, pious and glorious people even neglected its own interests in order to establish liberty, maintain peace and promote the welfare of the entire human race. These he declares were the motives which prompted the Romans to conquer the world. In order to bolster up his contention he quotes Cicero in support of his views.[380] Dante with Cicero then

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[378]Conv. IV.

[379]De Mon. II, 5.

[380]Verumtamen quamdiu imperium populi Romani beneficiis tenebatur, non iniuriis, bella aut pro sociis aut de imperio gerebantur; exitus erant bellorum aut mites aut necessarii. Regum, populorum, nationum, portus erat et refugium senatus. Nostri autem magistratus imperatoresque, ex hac una re, maximam laudem capere studebant, si provincias, si socios, aequitate et fide defendissent. Itaque illud patrocinium orbis terrae verius quam imperium, poterat nominari. Cicero, De Officiis II, 8.

regarded the Roman empire as a protectorate over the entire world.

Dante now proceeds to quote examples of sacrifices of many prominent and exalted characters of Roman history. He mentions Cincinnatus who was called from the plow to the dictatorship of Rome which he in no way abused, but relinquished willingly after his victory. Dante extols Fabricius who could not be bribed, Camillus who saved Rome, but remained in exile until recalled by the senate, and Brutus who condemned his own sons to death, because they conspired with the enemy of Rome. He glorifies the courage and fortitude of Mucius Scaevola, of the Decii who offered their lives for the safety of Rome, and Cato who commited suicide rather than submit to a tyrant. In his Convito[381] Dante gives some examples of Roman virtue not found in the De Monarchia, as the honest Curius whom the Samnites could not bribe, Torquatus who condemned his own son to death on account of indiscipline in the army, Regulus, the captive who returned to Carthage to be put to a cruel death. Cicero's frustration of Catiline's conspiracy was also regarded by Dante as accomplished through God's intervention. These remarkable examples of Roman patriotism and civic virtue Dante skillfully arrays to show that the Romans aimed at the universal welfare of all mankind. Dante thus sums up this argument:[382] "Whoever aims at right, walks according to right; the Roman people in bringing the world into subjection, aimed at right. . . . Therefore in bringing the world into subjection the Roman people acted according to right, consequently it was by right, that they assumed the dignity of Empire." (Church's transl.)[383] Dante holds that[384] nature ordained in the world a country and a nation for the universal world empire, and that nature especially equipped the Romans for that purpose. He quotes his favorite author, Vergil, and relies on his testimony. Vergil says that although, other peoples may excel the Romans in certain arts and sciences, yet in this Rome was to be preëmin-

[381]Conv. IV, 5.

[382]De Mon. II, 6.

[383]Quicumque finem iuris intendit, cum iure graditur; Romanus populus subiciendo sibi orbem, finem iuris intendit. . . . Ergo Romanus populus subiciendo sibi orbem, cum iure hoc fecit; et per consequens de iure sibi adscivit Imperii dignitatem.

[384]De Mon. II, 7.

ent that it would rule the world and maintain peace by sparing those who would submit and overcoming the haughty.[385] This then is the manner in which Dante seeks to establish the right of the Roman people to world dominion.

Another argument which Dante adduces in favor of the legitimacy of the ancient Roman empire is[386] "That it was by combat that the Romans gained their empire: therefore it was by right that they gained it."[387] Dante declares that the will of God was manifested in the combats of Rome against its rivals and competitors for world supremacy and that the judgment and approval of God was shown in favor of the Roman people which was the first and only people which triumphed over all its rivals and attained the goal which was supremacy over all men. Here are his own words:[388] "That people then, which conquered when all were striving hard for the empire of the world, conquered by the will of God. For God cares more to settle a universal strife than a particular one; and even in particular contests the athletes sometimes throw themselves on the judgment of God, according to the common proverb: 'To whom God makes the grant, him let Peter also bless.' It cannot, then be doubted that the victory in the strife for the Empire of the world followed the judgment of God. The Roman people, when all were striving for the Empire of the world, conquered; it will be plain that so it was, if we consider the prize or goal, and those who strove for it. The prize or goal was the supremacy over all men; for it is this that we call the Empire. None reached this but the Roman people. Not only were they, the first, they were the only ones to reach the goal." (Church's transl.)[389]

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[385] "Tu regere imperio populos, Romane memento;
Hae tibi erunt artes, pacique imponere morem,
Parcere subiectis et debellare superbos." Aeneid VI, 846.

[386] De Mon. II, 11.

[387] Romanus populus per duellum adquisivit imperium: ergo de iure adquisivit.

[388] De Mon. II, 9.

[389] Ille igitur populus qui cunctis athletizantibus pro imperio mundi praevaluit, de divino iudicio praevaluit. Nam quum diremtio universalis litigii magis Deo sit curae quam diremtio particularis, et in particularibus litigiis quibusdam per athletas divinum iudicium postulatur, iuxta tritum proverbium: Cui Deus concedit, benedicat et Petrus; nullum dubium est, quin praevalentia in athletis pro Imperio mundi certantibus Dei iudicium sit sequuta. Romanus populus, cunctis athletizantibus pro Imperio mundi praevaluit: quod erit manifestum, si considerentur athletae, si consideretur et bravium sive meta. Bravium sive meta fuit,

In proof of the fact that the Romans really attained supremacy over all men Dante submits the testimony of his favorite author, Virgil, and also that of Livy, Orosius, Lucan, Boethius and even Luke the evangelist, is made to furnish evidence in favor of Dante's thesis. As instances of Rome's combats or duels for supremacy, he mentions the duel between Aeneas and Turnus, the combat between the three Horatii and the three Curatii. He then draws attention to the successful contest of the Romans with their Italian neighbors, the Sabines and the Samnites. The triumph of Fabricius over Pyrrhus and of Scipio over Hannibal he regards as successful issues of duels with Greece and Carthage. The testimony of Luke in his favor Dante finds in the first words of the second chapter of Luke's gospel, where he says: "And it came to pass, that in those days there went out a decree from Caesar Augustus, that the whole world should be enrolled." Dante argues that since the Roman emperor issued a decree to the whole world, as the evangelist says, we are to understand that Luke admitted that the Romans had jurisdiction over the entire world. He holds that Christ willed that his birth at the particular place of Bethlehem should have been occasioned by an edict of Roman authority. Dante thus construes his argument:[390] "Therefore Christ, by His action, enforced the justice of the edict of Augustus, who then wielded the Roman power. And since to issue a just edict implies jurisdiction, it necessarily follows that He who showed that He thought an edict just, must also have showed that He thought the jurisdiction under which it was issued just; but unless it existed by right it were unjust." (Church's transl.)[391] According to Dante then Christ Himself acknowledged the legitimacy of Roman jurisdiction. It is to be remarked that Dante is here bringing forth his arguments from revelation in favor of the legitimacy of the Roman empire, as he had previously argued from reason. Not only by His birth did Christ sanction Roman

omnibus praeesse mortalibus; hoc enim Imperium dicimus. Sed hoc nulli contigit nisi Romano populo: hic non modo primus, quin etiam solus attigit metam certaminis.

[390]De Mon. II, 12.

[391]Ergo Christus Augusti Romanorum auctoritate fungentis edictum fore iustum, opere persuasit. Et quum a iuste edicere iurisdictio sequatur; necesse est ut qui iustum edictum persuasit, iurisdictionem etiam persuaserit, quae si de iure non erat, iniusta erat.

authority but also by his death. Dante argues[392] that Christ by his death really redeemed us. By the sin of Adam we are all sinners, and if Christ had not satisfied for our sins by his death, we would still be children of wrath. But Christ really satisfied for our sins, for He Himself said:[393] "*Consummatum est,*" that is, "It is consummated," that is the work of redemption. But since all humanity was punished in the flesh of Christ, He must have been legitimately condemned by the authority of one who had jurisdiction over the entire human race, because if He were not punished by a lawful judge it would be no legal punishment, but an injury. However, Christ was condemned by the vicar of Tiberius Caesar, Pilate, and Tiberius Caesar had jurisdiction over the entire human race. Hence Christ's punishment was legally inflicted and he really redeemed us, because the Roman Empire existed by right, and Tiberius had legitimate jurisdiction. Thus according to Dante Christ Himself acknowledged the legitimacy of Roman jurisdiction, consequently the legitimacy of the world dominion of Rome. This exhausts Dante's argument from revelation.

It is interesting to note that Dante writes that David the ancestor of Mary, Mother of Jesus, and the city of Rome were born at the same time, for at the time of David's birth, Aeneas came from Troy to Italy, which was the beginning of the most noble city of Rome. "Thus," says Dante,[394] "the divine election of the Roman Empire is made manifest by the birth of the holy city, which was contemporaneous with the root of the progeny of Mary."[395]

After having presented Dante's interpretation of history and his exalted conception of the mission of the Roman people, it is but meet to pass judgment on his discussion. Lowell, speaking of the De Monarchia, remarks[396] that the second book is very curious. Scartazzini says[397] the demonstration of the second book is strange and now and then based on false conclusions.

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[392]De Mon. II, 13.
[393]John XIX, 30.
[394]Conv. IV, 5.
[395]Per che assai è manifesta la divina elezione del Romano Imperio per lo nascimento della santa Città, che fu contemporaneo alla radice della progenie di Maria.
[396]Literary Essays vol. IV, Dante. Boston, 1892. p. 152.
[397]Dante Alighieri. Biel, 1869. p. 306.

Wegele says that Dante places things in historical relief which the later Romans themselves did not believe.[398] Kraus points out[399] that this is the weakest part of Dante's argumentation.[400] Witte says[401] of the De Monarchia that in general it makes the impression of little scientific maturity. He says that Dante's quotations are inexact and that some of his references are false.

Now it must be admitted that this second book of Dante's De Monarchia is somewhat curious, that some of Dante's conclusions are false, that some of the events mentioned and regarded as facts by Dante are legendary. Kraus rightly points out that the whole argumentation is worthless for it is based on the assumption that the Holy Roman Empire of the Middle Ages is in direct continuity with the ancient Roman Empire, which of course is false, although Dante, no doubt was sincerely convinced of the truth of his contention. Dante does not prove this continuity, he simply assumes it and regards it as commonly acknowledged. Hence, even granting that he has proven the legitimacy of the ancient Roman Empire, his proof does not hold for the Roman Empire of the Middle Ages, for it is not continuous with and historically is quite different and distinct from the ancient empire which Dante glorifies. It must also be admtted that a few of Dante's references are defective, however, Witte's statement that the De Monarchia in general lacks scientific maturity, cannot be accepted. Witte's judgement is not unbiased, for he attempted to prove that the De Monarchia was one of Dante's earlier works, hence betraying Dante's lack of scholarship. Dante's De Monarchia betrays great erudition, it is the most prominent political work of his time, and not the work of a novice.

That which is most striking in the second book of the De Monarchia is Dante's interpretation of history. Klaczko tells us[402] not to smile at Dante when he attributes the Roman con-

[398]op. cit., p. 352.

[399]Dante. p. 695.

[400]Man wird hier die logische Deduction etwas bedenklich finden müssen, wie denn nicht zu leugnen ist, dass dies ganze zweite Buch den schwächsten Theil der Dante'schen Beweisführung bildet. Die ganze Argumentation beruht auf einer traumhaften Vorstellung von der Rechtscontinuität des römischen Reiches.

[401]Dante-Forschungen. vol. I. Halle, 1869. p. 84.

[402]Causeries Florentines. Paris, 1880. p. 217.

quest of the world to their desire for the welfare of mankind.[403] Dante's interpretation of history is entirely consistent with his profound faith and with his idea of God and His Providence. If we are to judge what I have here called Dante's philosophy of history objectively and sympathetically, we cannot abstract him from his environment and from his age, neither can we dissociate his doctrine from his grand and sublime mind and his deep religious convictions. One may not agree with Dante in the part he gives divine Providence in the history of mankind, but then, speaking from the philosophical point of view, if one accepts Dante's idea of God, one must logically admit with Dante and St. Augustine, the supreme influence of Divine Providence on the destinies and development of human society. Dante is a profound theist, his conception of the Supreme Being is quite different from that of modern Deists. Dante's concept of world history compares favorably with that of great historians and thinkers. We must not forget that with his idea of God he could not attribute the truly remarkable series of events of Roman history to fate or chance. It cannot be denied that the ascendancy of the Romans is unparalleled in history, the world to-day is still largely ruled by Roman law; and we must also admit that Roman virtue, Roman endurance, and Roman organization were potent factors in the conquest of the world. Rome even to-day casts a spell on those who contemplate her grandeur, she has a magic all her own and many are those who have succumbed to it. In Dante's case there was the added fascination exerted by the great poet Virgil, whom he calls, our divine poet Virgil (*divinus poeta noster Virgilius*).[404] Virgil was particularly venerated during the Middle Ages as the greatest heathen poet. There were numerous legends in circulation about Virgil; among them one, that St. Paul, landing in Puzzoli and passing Naples on his way to Rome, wept because Virgil was dead and because he could not convert him to the faith of Christ. Kraszewski notes[405] that up to his day in Mantua on the feast of St. Paul,

[403]Ne souriez pas, messieurs, de cette sublime philanthropie prêtée généreusement aux durs légionnaires: M. Mommsen lui-même, ce Darwin de l'histoire, n'a-t-il pas reproché, de son côté, à la génération de Flamininus un sentimentalisme déplacé à l'égard de la Grèce?

[404]De Mon. II, 3.

[405]Studya nad Komedyą Boską. Vol. V, Rocznik Towarzystwa Przyjaciół Nauk Poznańskiego. Poznań, 1869. VIII.

a hymn was sung in connection with the mass which mentioned St. Paul's visit to the tomb of Virgil in these words:

Ad Maronis Mausoleum
Ductus, fudit super eum
Piae rorem lacrymae.
Quem te inquit reddidissem,
Si te vivum invenissem
Poetarum maxime.

We should not be surprised that the great poet, Dante yields to the enchantment of Virgil, even in writing his important political work. But Dante's conception of Roman greatness is more lofty, more sacred, more sublime than that of Virgil himself. In giving a just and sympathetic appreciation of this phase of Dante's thought, one is justified in applying to it the appellation of Dante's philosophy of history, because he seeks the ultimate reasons of the great facts of history. The facts of history are not isolated, but all concatenated and all successively realizing a grand and ultimate plan of Divine Providence. The human race is tending towards happiness, but it can best attain this happiness when it is organized into one immense political structure or universal empire. Dante believes that the Roman Empire was the beginning of the complete unification of the human race which will ultimately culminate in his world empire and universal peace.

CHAPTER X

The Church and the State

After having established the legitimacy of the world dominion of the Romans to his own satisfaction and postulating the continued existence of that empire Dante resolutely faces the third great thesis which he intends to prove, namely, that the authority of the empire is derived directly from God and not mediately through some other minister or vicar of God. This he does in the third book of this De Monarchia in which he discusses the relations between the empire and the papacy, between the church and the state. It must be remarked that Dante's treatment of the subject is not exhaustive. This can be deduced from the purpose he had in view, namely to show that the secular power is not derived from God through the medium of the church. He takes up one after another the arguments set forth by mediaeval publicists to prove the subordination of temporal power to the spiritual power and refutes them. Dante himself thus states his aim:[406] "The present question, then, concerning which we have to inquire, is between two great luminaries, the Roman Pontiff and the Roman Prince: and the question is, does the authority of the Roman Monarch, who, as we have proved in the second book, is the monarch of the world, depend immediately on God, or on some minister or vicar of God; by whom I understand the successor of Peter, who truly has the keys of the kingdom of heaven." (Church's transl.)[407] This part of Dante's work is rather polemical. It is directed against adversaries of Dante's position, who are divided into three classes. The first of these consists of the popes and their defenders who oppose Dante's standpoint on account of their zeal

[406]De Mon. III, 1.

[407]Quaestio igitur praesens, de qua inquisitio futura est, inter duo luminaria magna versatur: Romanum scilicet Pontificem et Romanum Principem; et quaeritur, utrum auctoritas Monarchae Romani, qui de iure Monarcha mundi est, ut in secundo libro probatum est, immediate a Deo dependeat, an ab aliquo Dei vicario vel ministro, quem Petri successorem intelligo, qui vere claviger est regni coelorum.

for the welfare of mother church. The second consists of the political party of the Guelphs, who pretend to be sons of the church, but who are rather sons of the devil. The third class is that of the Decretalists who seek to depreciate the power of the emperor.[408] Dante says that the Decretalists base their tenets solely on traditions (*solas traditiones habentes*) and he refuses to debate with them, for he maintains that they cannot logically seek to establish the authority of the church on decretals that have their authority and validity only from the church which existed before they were known, hence one cannot argue about the power and prerogatives of the church from the decretals, which have whatever authority they possess from the church whose powers and prerogatives antedate the decretals. With this Dante disposes of the third class of opponents. He states that it would be useless to discuss the question with the second class, for they are so blinded by their passions that they could not understand the first principles of the question at issue. He will deal with the first class of adversaries only, who truly revere the church and its founder Christ, and who out of zeal for the church and the keys, push too far their claims for the temporal power of the church.

With these then, Dante begins the discussion by taking up the celebrated theory of the two lights, according to which the pope represents the greater light, the sun, whereas the emperor's power is symbolized by the lesser light, the moon.[409] This theory was based on the words of sacred scripture:[410] "And God made two great lights: a greater light to rule the day; and a lesser light to rule the night: and the stars." These

[408]Igitur contra veritatem quae quaeritur tria hominum genera maxime colluctantur. Summus namque Pontifex, Domini nostri Iesu Christi Vicarius et Petri successor, cui non quidquid Christo sed quidquid Petro debemus, zelo fortasse clavium, nec non alii gregum Christianorum pastores, et alii quos credo zelo solo matris Ecclesiae promoveri, veritati, quam ostensurus sum, de zelo forsan (ut dixi), non de superbia, contradicunt. Quidam vero alii, quorum obstinata cupiditas lumen rationis extinxit, et dum ex patre diabolo sunt, Ecclesiae se filios esse dicunt, non solum in hac quaestione litigium movent, sed sacratissimi Principatus vocabulum abhorrentes, superiorum quaestionum et hujus principia impudenter negarent. Sunt etiam tertii quos Decretalistas vocant, qui Theologiae ac Philosophiae cuiuslibet inscii et expertes, suis Decretalibus (quas profecto venerandas existimo) tota intentione innixi, de illarum praevalentia credo sperantes, Imperio derogant. De Mon. III, 3.

[409]De Mon. III, 4.

[410]Gen. I, 16.

words were commonly interpreted in the Middle Ages in the sense that as the moon, the lesser light derives its light and brilliancy from the sun, the greater light, so also the temporal power receives its authority from the spiritual power. Dante denies that this text can be interpreted in such a sense. He holds that since the sun and the moon were created on the fourth day, whereas man was not created until the sixth day, God would have created the accidents before the substance itself, that is the government of men by pope and emperor, before man himself. But this is absolutely too absurd to be stated of God, hence the interpretation of Dante's opponents is false. Moreover Dante teaches that both secular and church government would be superfluous if man had not sinned, that is committed original sin, for such governments are remedies against the infirmities caused by sin (*sunt ergo huiusmodi regimina remedia contra infirmitatem peccati*). But on the fourth day man was not a sinner, since he did not even exist, hence God would have produced the remedies before He produced the man. This Dante says, would be as absurd, as if a physician should prepare a plaster for the future abscess of a man not yet born. He concludes his argument by stating that it could not have been the meaning of Moses when he wrote the account of creation, that the sun should signify the power of the pope, and the moon that of the emperor. Dante acknowledges, however, that the moon does receive light from the sun, although it does not receive its being from the sun. Hence he explains the text in the following manner:[411] "Therefore I say that the temporal power does not receive its being from the spiritual power, nor its power which is its authority, nor its working considered in itself. Yet it is good that the temporal power should receive from the spiritual the means of working more effectively by the light of the grace which the benediction of the Supreme Pontiff bestows on it both in heaven and on earth." (Church's transl.)[412] Thus we see that Dante holds that the temporal power is entirely independent of the spiritual power, both in

[411]De Mon. III, 4.

[412]Sic ergo dico, quod regnum temporale non recipit esse a spirituali, nec virtutem, quae est eius auctoritas, nec etiam operationem simpliciter; sed bene ab eo recipit, ut virtuosius operetur per lucem gratiae, quam in coelo et in terra benedictio summi Pontificis infundit illi.

its origin and its use, although he declares that the temporal power can better fulfill its purpose if it receives the blessings of the pope, Christ's vicar on earth. We should not be surprised that Dante should give this theory so much attention, since it was used by such popes as Gregory VII and Innocent III.

Dante now refutes[413] another scriptural argument. It was asserted that since Levi, the type of the priesthood, was older than Juda, the type of the kingdom, therefore the authority of the church precedes that of the empire.[414] Dante answers, that, even conceding that Levi and Juda are respectively types of the church and the state, it by no means follows that just because Levi was older than Juda, the authority of the state is derived from the church. Seniority is not the cause of authority.

In the following chapter[415] Dante considers another scriptural argument of his opponents. They maintained that since the prophet Samuel deposed king Saul,[416] his power was superior to that of the temporal power and hence the spiritual power of the pope was superior to the power of the state. Dante replies that Samuel was not the vicar of God on earth, only a special envoy whom God employed on this particular occasion. The pope is the vicar of God on earth, but he cannot presume to do that which was done once only by a very special plenipotentiary of God; and because the envoy of God once deposed a king, the ordinary vicar of God cannot presume to have permanent authority over the temporal power.

Dante continues to argue on scriptural grounds[417] against those who invoke the meaning of the gifts offered to the Infant Jesus by the magi as proof of the power of the church in temporal affairs.[418] It was asserted that since Christ accepted both frankincense and gold from the magi, He manifested his absolute supremacy both in spiritual and temporal affairs. This Dante acknowledges, that is, he does not dispute this meaning of the text in question, but when his adversaries deduce there-

[413]De Mon. III, 5.
[414]Gen. XXIX, 34-35.
[415]De Mon. III, 6.
[416]I Kings XV, 25-28.
[417]De Mon. III, 7.
[418]Matth. II, 11.

from the supreme spiritual and temporal power of the popes, he differs with them emphatically, saying that the vicar has not the power to do everything the Lord does. God can create, He could make the entire earth ascend, but the popes although they are God's vicars, cannot do these things, for their vicariate is limited, and regarding the question at issue their vicariate simply does not include supremacy in temporal affairs.

Another scriptural argument merits Dante's attention.[419] The protagonists of the temporal power of the popes deduced their right to annul temporal legislation, as also to bind the laws and decrees of the temporal power, from the words of our Lord addressed to Peter: "And I will give to thee the keys of the kingdom of heaven. And whatsoever thou shalt bind upon earth, it shall be bound also in heaven: and whatsoever thou shalt loose on earth, it shall be loosed also in heaven."[420] Dante's opponents based their contention of the right of papal interference in temporal affairs on the word "whatsoever" (*quodcumque*). Peter could bind and loose all things, therefore his successors in office can do the same. Dante admits that the successors of Peter can do what he could, but he denies that Peter could bind and loose all things, since the word "whatsoever" has reference to the power of the keys. He says Christ made Peter the doorkeeper of the kingdom of heaven, hence Christ meant: "Everything which pertains to that office thou shalt bind and loose," (*omne quod ad istud officium spectabit, solvere poteris et ligare*). Temporal power does not pertain to the office of the keys, hence the range of the power of the popes does not extend to the domain of temporal government.

The last of the arguments from scripture Dante now undertakes to refute.[421] This is the celebrated theory of the two swords based on the words of the apostles addressed to Christ: "Lord, behold here are two swords. And he said to them, It is enough."[422] This text was interpreted in the sense that the two swords signified the spiritual and temporal authority both belonging to the pope. The temporal sword, however, was often turned over by the pope to secular princes, who were to

[419]De Mon. III, 8.
[420]Matt. XVI, 19.
[421]De Mon. III, 9.
[422]Luke XXII, 38.

use it at the discretion of the incumbent of the papal chair. Boniface VIII avails himself of this theory, claiming supreme spiritual and temporal power in his celebrated bill *Unam Sanctam*. This alone is sufficient to explain why Dante, a bitter antagonist of Boniface VIII should consider this argument. He disposes of it by denying outright that the text in question had any reference whatever to either the spiritual or temporal power. It is acknowledged to-day that Dante was right.

Dante now takes up for discussion the principle historical arguments of those who insisted on the dependence of the temporal power on the spiritual authority of the papacy. His attention is firstly drawn to the celebrated donation of Constantine.[423] The document "*Donatio Constantini*" is to-day regarded as spurious. However, it was commonly acknowledged as a fact in Dante's day that the emperor Constantine, after having been cured of leprosy by the prayers of pope Sylvester I, turned over to him Rome and the sovereignty of Italy and the whole West. Dante himself does not deny the fact of the donation, but he contests its validity on the part of the emperor and the pope. He declares that the emperor, being an official, is not able to split the empire, for that extends beyond the limits of his power. To split the empire or impair its integrity would be equivalent to destroying it. By that very fact it would cease to be the universal empire, and such an act would be contrary to the fundamental idea of the state which cannot destroy itself, nor can it be destroyed by its supreme official. Dante says: "Thus the empire is not allowed to do anything contrary to human law. But it would be contrary to human law if the Empire should destroy itself; therefore the empire cannot destroy itself. Since then to divide the Empire would be to destroy it, the Empire consisting in the unity of a universal Monarchy; it is manifest that he who is vested with imperial authority is not allowed to divide the empire."[424] Moreover Dante states that the empire is a jurisdiction of

[423]De Mon. III, 10.

[424]Sic et Imperio licitum non est, contra ius humanum aliquid facere. Sed contra ius humanum esset, si seipsum Imperium destrueret; ergo Imperio seipsum destruere non licet. Quum ergo scindere Imperium esset destruere ipsum, consistente Imperio in unitate Monarchiae universalis; manifestum est quod Imperii auctoritate fungenti scindere Imperium non licet.

such extent that it includes all temporal jurisdiction, which the emperor cannot diminish, for every jurisdiction is prior in time to the judge who exercises it, and no judge has the power to diminish his jurisdiction, for the judge is ordained for the jurisdiction and not vice versa. But the emperor cannot divide the empire without diminishing his jurisdiction, therefore the emperor cannot divide the empire.

Even granting, however, that Constantine had the power to grant the pope temporal power, independent of the empire, Dante maintains that the gift would be unlawful, because the church is not qualified to receive such gifts. Dante bases the inability of the church to receive such a donation on the words of our Lord: "Do not possess gold, nor silver, nor money in your purses: Nor scrip for your journey, nor two coats, nor shoes, nor a staff; for the workman is worthy of his meat."[425] He adds that he has been unable to find that the church ever was allowed to possess gold or silver after this prohibition (*ad possessionem tamen auri et argenti licentiatam Ecclesiam post prohibitionem illam invenire non potui*). We enter now upon the question of Dante's true attitude on the right of the church to possess temporal goods: Cipolla says that if Dante's words in the *De Monarchia* are to be interpreted strictly it appears that he denies the church the right to possess property in general, and particularly gold and silver.[426] It appears, however, that Dante in his zeal for the integrity of the empire has here spoken a little more strictly than he really intended. Let us pause to see what Dante aims at in the third book of his De Monarchia. He aims at establishing the independence of the power of the state, and its derivation directly from God and not through the medium of the church. He is primarily concerned with the indivisibility of the empire and not with church property. The strictness of his words concerning the church's possession of gold and silver is considerably moderated by the following: "However, the emperor could grant un-

[425]Matt. X, 9-10.

[426]Il pensiero di Dante nella Monarchia, preso alla lettera, importa la negazione quasi completa della proprietà ecclesiastica; nè solo, se ben vedo, limitatamente alla donazione Constantiniana, ma in generale ad ogni dono, almeno notevole, cioè concernente oro ed argento. Cipolla op. cit., p. 75.

to the custody of the church estates and other property, provided he did not surrender his supreme authority, the unity of which can suffer no division. And the vicar of God could, receive them not as a possessor, but as the church's dispenser of their revenues for the benefit of Christ's poor, which the Apostles did, as is well known.''[427] I believe that one is permitted to conclude from the words just quoted, that Dante does not begrudge the church tenure of property, provided the sovereignty of the universal empire is not jeopardized. I am also of the opinion that Dante is not opposed to papal territorial dominion any more than he was opposed to the territorial dominion of other kings and princes, provided their territories remained integral parts of the universal empire and provided they acknowledged the supremacy of the emperor. Poletto maintains[428] that Dante was not opposed to the civil power of the popes as long as it did not infringe on the superior temporal rights of the emperor. He says that all that which in Dante's works seems to militate against the civil power of the popes is only so in appearance.[429] I must state here that I regard his conclusions as fully justified and based upon a great many references to the words of Dante himself. Hence, as was said above, Dante seems to have gone somewhat farther than he intended in his zeal for the indivisibility of the empire when he seems to deny the church the right to possess property, and we must interpret those words in the light of other texts which would indicate that Dante allows the church not only property but even temporal dominion, always with the reservation that imperial supremacy remain intact.

Thus we see that Dante lends his unqualified approval to Charlemagne's defence of the States of the Church against the wanton attack of the Lombards.

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[427]Poterat tamen Imperator, in patrocinium Ecclesiae, patrimonium et alia deputare, immoto semper superiori dominio, cuius unitas divisionem non patitur. Poterat et vicarius Dei recipere, non tanquam possessor, sed tamquam fructuum pro Ecclesia pro Christi pauperibus dispensator; quod Apostolos fecisse non ignoratur. De Mon. III, 10.

[428]La Riforma Sociale di Leone XIII e la Dottrina di Dante Allighieri. Siena, 1898. vol. II, conferenze IX-X.

[429]Tutto ciò che nelle Opere di Dante pare far contro al civile Principato dei Papi, non è che una apparenza, che alla luce di sereni e irrepugnabili argomenti, come nebbia al Sole, tosto si discoglie. Poletto op. cit., p. 47.

"And when the tooth of Lombardy had bitten
The Holy Church, then underneath its wings
Did Charlemagne victorious succor her."

Parad. VI, 94-96.[430]

At any rate the popes territorial rights in Rome were acknowledged by Charlemagne, although he regarded Rome as a part of his empire, and as Kraus states he exercised his supreme power in Rome. I believe that Kraus correctly interprets Dante in the sense that he placed the territorial rights of the popes on par with those of other secular princes, inasmuch as they were required to recognize the supremacy of the emperor.[431]

Dante thinks it worth while to answer just one more historical argument.[432] It was asserted that since pope Hadrian summoned Charlemagne to protect papal territory against the Lombards, and since Charlemagne received the imperial dignity from the pope[433] therefore the emperor's power is dependent on that of the popes. It is to be noted here that Dante regards the Lombard attack on the popes as an injustice (*iniuria*). But he says one might argue in the same manner in favor of the dependence of the authority of the popes on that of the emperor, since the emperor Otto I deposed Benedict V and reinstated Leo VIII. Dante maintains that from an act one cannot deduce its legality. The pope could not confer the imperial authority any more than the emperor could grant anyone papal authority, for they did not possess the right to do so, and if they did, it was only a usurpation, and a usurpation of right does not create the right (*usurpatio enim iuris non facit ius*).

[430]E quando il dente Longobardo morse
La santa Chiesa, sotto alle sue ali
Carlo Magno, vincendo, la soccorse.

[431]Demgemäss hat Karl diese höchste Gewalt in Rom ausgeübt und Leo III ihm durch die Adoratio dieselbe zuerkannt, ebenso wie dadurch, dass er sich seinem Richterstuhl unterstellte. Der Papst als Inhaber einer territorialen Gewalt war also gleich allen andern Theilfürsten und kleinen Freistaaten nach der karolingischen Idee dem Kaiser untergeordnet. Diese Idee hat Dante festgehalten, und wir dürfen annehmen, dass er sich das Verhältniss des Temporales der Päpste zum Imperium ganz so gedacht habe, wie er sich dasjenige seiner eignen Heimat, der Republik Florenz, zu dem Kaiser vorstellte. Kraus, op. cit., p. 719.

[432]De Mon. III, 11.

[433]From Dante's words it appears that he held that Hadrian confered the title of emperor on Charlemagne, however, it is well known that Leo III solemnly crowned Charlemagne as emperor of the West in the year 800.

Dante now undertakes to refute[434] an argument from reason advanced by the antagonists of his position. He says that they argue from the principle that all belonging to the same genus are to be brought under one head which is the measure of all in the genus. But all men are of the same genus and are to be brought under one head, as their common standard or measure. This can be no other than the pope, who cannot be the subject of any man, consequently all other men, including the emperor, must be subordinated to the pope as the measure and rule of mankind. Dante, in response to this argument, distinguishes between man, which is something essential, and pope or emperor, which are offices and accidental for their incumbents. Dante makes a distinction between the man and the office, between man as such and man vested with authority. Therefore the pope and the emperor must be brought under one standard or measure of authority. Neither the papal or the imperial office are the highest measure and standard of power and authority, and neither can be subordinated to the other, but only to God Himself, the supreme unity.

Having disposed of the objections of his opponents, Dante now proceeds to state his proofs for the independence of the imperial authority from papal authority.[435] He declares that the imperial authority cannot be dependent on that of the church, for the empire with its full power and authority existed before the church was founded, consequently the church cannot be the cause of an authority prior to itself in time. And even after the establishment of the church, the empire possessed priority of exclusive territorial rights over domains now (in Dante's time) confided to the administration of the church, hence the imperial authority is independent of the pope. Referring to the domains or territory of the church Dante points out that even over this land the emperor had complete control before he offered this portion of the territory of the empire unto the custody and administration of the church. Constantine could not have legally made this grant to the church if he had not authority over it before the church, and the church would unjustly make use of this concession. But he says it is totally

[434]De Mon. III, 12.
[435]De Mon. III, 13.

incongruous to assert that the church should thus unjustly profit by this endowment, hence Constantine had the right to make this concession for the benefit of the church, and the church by accepting this grant, by that very fact acknowledged the priority of the complete authority and control of the emperor over the districts which he confided to the custody of the church. This I believe is the correct interpretation of Dante's text: "*Si Constantinus auctoritatem non habuisset in patrocinium Ecclesiae, illa quae de Imperio deputavit ei, de iure deputare non potuisset; et sic Ecclesia illa collatione uteretur iniuste. . . . Sed dicere quod Ecclesia sic abutatur patrimonio sibi deputato, est valde inconveniens, ergo falsum erat illud, ex quo sequebatur.*"[436] I judge that this is a logical interpretation of Dante's words in the light of what he states in this and previous chapters. It also bears out my opinion that Dante was not opposed to the temporal dominion or civil administration of certain territories by the church, provided they remained under the sovereignty of the empire, hence, as Dante says, "*immoto semper superiori dominio.*"

Dante writes[437] that if the church had the power to confer authority on the emperor, she would have it, either from God, or from herself, or from some emperor, or from the universal consent of mankind, or at least from the consent of the majority of men. But she had this power from none of these, and not having it she cannot confer it on the emperor. The church is not an effect of nature, but a positive and direct institution of God, who said: "Upon this rock I will build my church."[438] Therefore the church, not being an effect of nature has not this power from the natural law. But neither from the divine law which is contained in the two Testaments, for no text can be found which would show that the church received such a power. It is clear that the church could not have this power from herself or some emperor. But did she obtain this power of conferring authority on the emperor from the consent of mankind? Dante answers in the negative, for not only the inhabitants of Asia and Africa, but even the majority or Europeans are decidedly unfavorable to such a power of the church.

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[436]De Mon. III, 13.
[437]De Mon. III, 14.
[438]Matt. XVI, 18.

In the following chapter[439] Dante asserts that the power to bestow authority on the state is against the nature of the church (*virtus auctorizandi regnum nostrae mortalitatis est contra naturam Ecclesiae.*) The nature of the church was determined by its founder Christ Himself, who also pointed out to the church its true purpose, and the office of its pastors, particularly the highest, which is to feed the sheep and lambs of Christ. Moreover in the presence of Pilate Christ denied that his kingdom was a temporal kingdom, saying: "My kingdom is not of this world. If my kingdom were of this world, my servants would certainly strive that I should not be delivered to the Jews: but now my kingdom is not from hence."[440] The temporal power, therefore, cannot be dependent on the spiritual power of the church.

In the last chapter[441] Dante says that he has proven that the temporal power does not depend on the power of God's vicar, but if it does not depend on the vicar of God, it depends on God immediately. Dante teaches that man has a twofold nature corruptible and incorruptible, and since every nature is directed towards some end, it follows that man has also a twofold end.[442] These two ends are happiness in this life (*beatitudo huius vitae*), and eternal happiness beyond the grave (*beatitudo vitae aeternae*). Dante now draws a line between the church and the state and between their respective fields of action. Since man has two ends, he says, he needs a double guidance towards his two ends. These guides are the pope whose duty it is to direct men towards eternal happiness in accordance with divine revelation, and the emperor whose duty it is to direct men to temporal happiness in accordance with the teaching of philosophy.

Having established the truth that the authority of the emperor or the temporal power is derived immediately from God, Dante says that "the truth of this last question is not to be understood so strictly that the Roman Prince is not in a certain sense subject to the Roman Pontiff, since this temporal happiness is in a way subordinated to eternal happiness. Let Caesar,

[439]De Mon. III, 15.
[440]John XVIII, 36.
[441]De Mon. III, 16.
[442]Et cum omnis natura ad ultimum quemdam finem ordinetur, consequitur ut hominis duplex finis exsistat.

therefore, revere Peter in the same manner as a first-born son should revere his father; so that, enlightened by paternal grace, he may more effectively irradiate the world over which he has been placed by Him alone, who is the ruler of all things spiritual and temporal.''[443] This passage is regarded by Kelsen as contradicting Dante's entire work.[444] Scartazzini, referring to this passage charges Dante with a lack of consequence.[445] Now in my opinion Dante is neither inconsequential nor does he contradict himself. He does not yield a single point in the conclusion. The passage is quite in harmony with Dante's teaching and he is logical in making that last statement. He is certainly logical when he states that eternal happiness is of greater importance than temporal happiness. Moreover the church is infallible in its guidance for it is based on revelation, whereas the state is to guide men towards happiness in acordance with philosophy, which in Dante's mind cannot claim an equal certitude with faith and revelation. Dante writes[446] '' . . . The Christian opinion is of more weight, and is the destroyer of all error, thanks to the supreme light of heaven, which illuminates it.'' (Hillard's transl.)[447] He also speaks[448] of our Faith which cannot lie'' (*la nostra Fede che mentire non può*). Neither can the church deceive us in guiding us by revelation (*Secondo che la santa Chiesa vuole, che non può dire menzogna*).[449] We see then that for a necessary end or the most important end, a sure and infallible direction of the church is assured us. Dante betrays the ardent faith of his age. An author of the twentieth

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[443]Quae quidem veritas ultimae quaestionis non sic stricte recipienda est, ut Romanus Princeps in aliquo Romano Pontifici non subiaceat; quum mortalis ista felicitas quodammodo ad immortalem felicitatem ordinetur. Illa igitur reverentia Caesar utatur ad Petrum, qua primogenitus filius debet uti ad patrem; ut luce paternae gratiae illustratus, virtuosius orbem terrae irradiet, cui ab Illo solo praefectus est qui est omnium spiritualium et temporalium gubernator.

[444]Niemandem kann der Widerspruch entgehen in welchem der Schluss des dritten Buches zum ganzen Werke steht. Kelsen, op. cit., p. 116.

[445]Wir werden in diesen Schlussbestimmungen eine Inconsequenz erblicken müssen, die den päpstlichen Prätentionem und dem päpsttlichen Treiben wieder Thür und Thor öffnet. Scartazzini, Dante. Biel, 1869. p. 311.

[446]Conv. IV, 15.

[447]. . . La Christiana sentenza è di maggior vigore, ed è rompitrice d'ogni calunnia, mercè della somma, luce del cielo, che quella allumina.

[448]Conv. ibid.

[449]Conv. II, 4.

century would probably have written differently. Dante does not expect the church and the state to remain perpetually opposed to each other, but hopes for peace between them. He emphatically resents any encroachment of the spiritual on the temporal power, at the same time, however, he bitterly denounces any interference in the spiritual work of the church by the state, or any indignity to the supreme pontiff, whoever he may be. He distinguishes between the papacy and the pope, between the office and the man. Thus he reserves a place for Boniface VIII in hell,[450] yet he protests against the indignities meted out to the same Boniface VIII at Anagni by Guillaume de Nogaret,[451] which he regards as equivalent to outraging Christ Himself.[452] Thus we see that Dante insists on the independence of both church and state, but he expects them mutually to support and assist each other. Dante no doubt realizes the vast aid of religion in establishing and maintaining a reign of justice and peace. Bryce writes:[453] "In the earlier Middle Ages Europe, still half-barbarous, was the prey of violence. Its greatest need was Justice, and a power strong enough and pious enough to execute justice as the minister of God. The one force that confronted violence and rapacity was Religion." Dante is well aware of the importance of religion and its benign influence on the commonwealth. He has a profound respect for the chair of Peter, although he unhesitatingly condemns unworthy occupants of that chair, and their encroachment on the rights of the state, the state being totally independent in its own sphere. This teaching of Dante later received the entire approval of Bellarmine who held that the pope has no direct temporal jurisdiction.[454] Dante's ideal relations between church and state are those of harmony and independence, each working within the limits set for it by God, as he says was formerly the case.

> "Rome that reformed the world, accustomed was
> Two suns to have, which one road and the other,
> Of God and of the world, made manifest."
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> Purg. XVI, 106-108.[455]

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[450]Inf. XIX, 53.
[451]Purg. XX, 86-92.
[452]Cf. Lowell, Dante. p. 240.
[453]The Holy Roman Empire. New York, 1904. p. 507.

CHAPTER XI

The Universal Empire

In the first book of his De Monarchia Dante sets out to prove that the universal empire is necessary for the world.[456] He says[457] that this can be shown by the strongest and most manifest arguments (*potissimus et patentissimus argumentis ostendi potest*). He tells us what sort of a monarchy is necessary for the welfare of the entire human race.[458] "Temporal Monarchy, then, or as it is called, the Empire, is the government of one prince above all men in time, or in those things and over those things which are measured by time."[459] Dante means therefore, that there should be one government over all men, no matter of what religion, or nationality they may be, and that for all time, not only for a definite period in human history, but always, as long as the human race inhabits this globe of ours. Moreover it is the temporal power which is limited to the temporal affairs of men, and is not concerned with the eternal destiny of man which is the concern of the spiritual power, the religious authority.

The first argument which Dante advances in favor of the universal monarchy[460] is based on the authority of Aristotle.[461] Dante argues that when several things are tending towards one end, one of them should rule and direct the others. This, he declares, is necessary in the family, village, kingdom and finally the whole human race, having one and the same end and purpose,

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[454]Cf. Hettinger, Dante's Divina Commedia. Edited by Bowden. London, 1887. p. 390.

[455]Soleva Roma, che il buon mondo feo,
Due Soli aver, che l'una e l'altra strada
Facean vedere, e del mondo e di Deo.

[456]Prima itaque quaestio sit: Utrum ad bene esse mundi Monarchia temporalis necessaria sit . De Mon. I, 5.

[457]op. cit., ibid.

[458]De Mon. I, 2.

[459]Est ergo temporalis Monarchia, quam dicunt Imperium, unicus Principatus; et super omnes in tempore, vel in iis et super iis quae tempore mensurantur.

[460]De Mon. I, 5.

[461]Pol. I. 5. 3.

should have one supreme ruler, who is the Emperor. Dante points out here the necessity of unity of government, not only for particular localities, but for the human race, taken as whole. If there is a lack of unity people are impeded from attaining their end which is happiness, by the resulting discord and rivalry which even destroys entire states. The whole human race has a common end, therefore it should also have a common government which would direct it towards its end. Consequently the universal monarchy is necessary for the welfare of the world.

Dante continues his argumentation in favor of the world monarchy.[462] He says that we find a twofold order in the world, the relation of parts to each other and the relation of parts to the whole which they constitute. This relation of parts to each other and to the whole is found in particular groups or communities of men, hence it should also be found in the totality of mankind. That is, the various cities, kingdoms and states which are parts of the human multitude should be subordinated to the entirety of mankind, organized into one universal monarchy, with one ruler at its head.

In the next chapter[463] Dante writes that as the totality of mankind is one whole with reference to the particular communities or groups of which it is composed, so again entire mankind is but a part with reference to the universe taken as a whole. As the parts of the human multitude correspond to its totality under the one supreme monarch, so also the totality of mankind corresponds to the universe under its universal Monarch who is God Himself. Hence as the universe is under one ruler, God, so also it is best for mankind to submit to one universal government.

Moreover, Dante holds[464] that mankind is best ordered when it is so organized that it is most similar to God. But God is absolutely one, hence it is best for mankind to be a unity. But the human race constitutes a most perfect unity when in its entirety it is subject to the government of one prince. Consequently this is best for humanity, since then only is it most similar to God.

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[462]De Mon. I, 6.
[463]De Mon. I, 7.
[464]De Mon. I, 8.

Dante alleges[465] that as the heavenly bodies have one movement originated by the Prime Mover, who is God, so also the human race is best regulated when it is arranged after the pattern of the order of the heavenly bodies. But the order of mankind in its totality is disposed in accordance with that model when it is moved by one mover, the universal monarch, in one movement, by one law. Hence all mankind should be united into one universal empire.

We now come to a more interesting argument in favor of one universal government.[464] Dante writes that wherever there is a controversy, there must be judgment to decide the controversy (*ubicumque potest esse litigium, ibi debet esse iudicium*). Now, he says, a controversy may arise between any two independent princes and since neither of them is subject to the other, for an equal has not jurisdiction over an equal (*nam par in parem habet imperium*), it is necessary to have recourse to a third whose jurisdiction extends over the two litigants. If this third be the universal monarch, then we have precisely the official whose necessity we seek to establish. But if not, then the third party will again have an equal, or some one entirely independent of his jurisdiction with whom he might have a dispute. Hence a third party would be needed again, but if this third party should have an equal, it would be necessary to appeal to one possessing still greater jurisdiction, and thus the process would be carried to infinity. But this is manifestly impossible. Consequently there must be one supreme judge whose decisions would terminate all controversies, either directly or indirectly, and this will be the monarch or emperor. Therefore, a universal empire is necessary for the benefit of the world.[467]

In the following chapter[468] Dante contends that the world is best ordered when justice predominates therein. But justice predominates in the world when it resides in the most willing and most powerful official, as in a subject, this can be no one but the universal monarch, therefore only when justice inheres

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[465]De Mon. I, 9.

[466]De Mon. I, 10.

[467]Oportebit devenire ad iudicem primum et summum, de cuis iudicio cuncta litigia dirimantur, sive mediate sive immdeiate; et hic erit Monarcha sive Imperator. Est igitur Monarchia necessaria mundo.

[468]De Mon. I, 11.

in the supreme monarch, does it predominate in the world. Dante's proof of this last statement is curious indeed. He contends that cupidity or covetousness is most opposed to justice, hence by doing away with cupidity, justice is made to prevail. But cupidity or covetousness can be abolished by depriving it of its objects, or the things it covets, for if a passion has no object toward which it may tend it ceases to exist. The universal monarch has nothing to covet or desire, for his jurisdiction is bounded only by the ocean. This is not the case with other kings whose territory is contained within definite limits, for instance, the kings of Castile and Aragon. They could covet more since they did not reign over all. But the universal monarch, having nothing to desire, cannot have cupidity which is opposed to justice, consequently among all mortals the monarch is the best and most sincere subject in whom justice may reside. Dante maintains that the universal monarch can be most just, because charity inheres in the monarch more than in any other ruler, and since charity elevates and enlightens justice, justice will predominate when there is one universal monarch to govern entire mankind.

The best condition of mankind, Dante states[469] is that of the greatest freedom. But the human race is most free when it is subject to a universal monarch. Consequently it is best for humanity to be subordinated to the government of the emperor. That is free which is for its own sake and not for the sake of another (*illud est liberum quod suimet et non alterius gratia est*). However, only under the rule of the monarch is the human race for its own sake and not for the sake of another, for only when there is a supreme monarch can bad governments which seek to enslave mankind, be corrected and regulated. Hence in order that men's liberties may be preserved, it is necessary that there be a supergovernment with the emperor at its head.

In the following chapter[470] Dante teaches that he who is best disposed to govern, can best dispose others. But the monarch alone can be best disposed to govern, since he cannot be corrupted by cupidity or covetousness, because there is nothing for him to desire. Hence the universal monarch, being best dis-

[469]De Mon. I, 12.
[470]De Mon. I, 13.

posed to govern, can best dispose others and therefore it is best for the world that there be one universal monarchy.

Dante continues his discussion, saying[471] that it is better for something to be done by one, than by many. But the human race can be governed by one supreme prince who is the monarch (*humanum genus potest regi per unum supremum principem qui est Monarcha*). Hence if mankind can be united under one government it is better for it to be ruled by one than by many. Therefore it follows that the human race is in the most advantageous condition when it is governed by one.

Furthermore Dante holds [472] that that is best which is most one.[473] The welfare of mankind depends on the unity of the wills of all individual men. But there can be no unity of wills, unless there be one will which is the mistress and regulatress of all the other wills. However this cannot be, unless there be one prince whose will should regulate and unify the wills of mankind. Therefore, it is best for humanity to submit to the government of the universal monarch. From this we see that unity is perfection, the more a thing is one the more perfect it is, hence also the common political organization of mankind into one whole is the most perfect organization of the human race. The unity of the entire human race in one universal empire, Dante regards, as the highest form of organization of mankind and the highest perfection which it may attain. Dante says also[474] that Christ Himself lent his approval to this sort of unity of mankind by coming into the world when it was most one and most peaceful, that is during the reign of the emperor Augustus.

Having thus arrayed Dante's arguments in favor of a superstate or one universal monarchy, let us see how and to what extent other states are to be subordinated to this colossal political structure. We read the following words[475] of Dante regarding the relation of particular states to the superstate. "But it must be carefully observed that when we say that mankind may be ruled by one supreme prince, we do not mean that the most trifling judgments for each particular town are to proceed

[471]De Mon. I, 14.
[472]De Mon. I, 15.
[473]In omni genere rerum illud est optimum quod est maxime unum.
[474]De Mon. I, 16.
[475]De Mon. I, 14.

immediately from him. For municipal laws sometimes fail, and need guidance, as the Philosopher shows in his fifth book to Nichomachus, when he praises equity.[476] For nations and kingdoms and states have, each of them, certain pecularities which must be regulated by different laws. For law is the rule which directs life. Thus the Scythians need one rule, for they live beyond the seventh climate, and suffer cold which is almost unbearable, from the great inequality of their days and nights. But the Garamantes need a different law, for their country is equinoctial, and they cannot wear many clothes, from the excessive heat of the air, because the day is as long as the darkness of the night. But our meaning is that it is in those matters which are common to all men, that men should be ruled by one Monarch, and be governed by a rule common to them all, with a view to their peace. And the individual princes must receive this rule of life or law from him, just as the practical intellect receives its major premiss from the speculative intellect, under which it places its own particular premiss, and then draws its particular conclusion, with view to action. And it is not only possible for one man to act as we have described; it is necessary that it should proceed from one man only to avoid confusion in our principles. Moses himself wrote in his law that he had acted thus. For he took the elders of the tribes of the children of Israel, and left to them the lesser judgments, reserving to himself such as were more important and wider in their scope; and the elders carried these wider ones to their tribes, according as they were applicable to each separate tribe.'' (Church's transl.)[477] This passage is invaluable in illustrating the relation

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[476] .....*φανερὸν δ' ἐκ τούτου καὶ ὁ ἐπιεικὴς τίς ἐστιν· ὁ γὰρ τῶν τοιούτων προαιρετικὸς καὶ πρακτικός, καὶ ὁ μὴ ἀκριβοδίκαιος ἐπὶ χεῖρον ἀλλ' ἐλαττωτικός, καίπερ ἔχων τὸν νόμον βοηθόν, ἐπιεικής ἐστι, καὶ ἡ ἕξις αὕτη ἐπιείκεια, δικαιοσύνη τις οὖσα καὶ οὐχ ἑτέρα τις ἕξις.* Aristotle, Eth. V, 10.

[477] Propter quod advertendum sane quod quum dicitur, humanum genus potest regi per unum supremum Principem, non sic intelligendum est, ut minima iudicia cuiuscumque municipii ab illo uno immediate prodire possint; quum etiam leges municipales quandoque deficiant, et opus habeant directivo, ut patet per Philosophum in quinto ad Nicomachum *ἐπιείκειαν* commendantem. Habent namque nationes, regna et civitates inter se proprietates, quas legibus differentibus regulari oportet. Est enim lex regula directiva vitae. Aliter quippe regulari oportet Scythas, qui extra septimum clima viventes, et magnam dierum et noctium inaequalitatem patientes, intolerabili quasi algore frigoris premuntur, et

of subordinate states to the superstate or universal empire. Dante shows that the relation of the subordinate states in the universal empire is analogous to the relation of the tribes of Israel to the chief authority of Moses. It must be noted, however, that this is but an analogy which cannot be stretched too far. There is as vast difference between the peoples and nations of the world which differ in language, in customs, in law, in climatic conditions, in degree of enlightenment or civilization, in color and in race, and also in religion; whereas the tribes of Israel were composed of descendents of one and the same family, had one language, customs, law and religion, and lived in a compact body, in a small piece of territory in identical climatic conditions. This difference is recognized by Dante himself, consequently the relations of the subordinate states to Dante's superstate cannot be identical to those of the tribes of Israel to their chief authority, although there may be some similarity. Now Dante by no means wishes to do away with the differences that exist between the different peoples and nationalities of the globe. He admits that they are necessary and consequently various parts of the human multitude must be governed by different laws. Yet all these peoples have a human nature in common, hence have a common natural law, and what immediately is derived from it the human law (*ius humanum*) which Dante says, is the foundation of the empire. They have above all the same end or purpose which is happiness here, on this earth, and therefore, need a common supreme direction or guidance. It should be remembered that the principle object of Dante's superstate or its *raison d'être* is the defence of the freedom of

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aliter Garamantes, qui sub aequinoctiali habitantes, et coaequatam semper lucem diurnam noctis tenebris habentes, ob aestus aëris nimietatem vestimentis operiri non possunt. Sed sic intelligendum est, ut humanum genus secundum sua communia, quae omnibus competunt, ab eo regatur, et communi regula gubernetur ad pacem. Quam quidem regulam, sive legem particulares principes ab eo recipere debent, tamquam intellectus practicus ad conclusionem operativam recipit maiorem propositionem ab intellectu speculativo, et sub illa particularem, quae proprie sua est, adsumit, et particulariter ad operationem concludit. Et hoc non solum possibile est uni, sed necesse est ab uno procedere, ut omnis confusio de principiis universalibus auferatur. Hoc etiam factum fuisse per ipsum, ipse Moyses in lege conscribit: qui adsumptis primatibus de tribubus filiorum Israel, eis inferiora iudicia relinquebat, superiora et communiora sibi soli reservans, quibus communioribus utebantur primates per tribus suas, secundum quod unicuique tribui competebat.

all the peoples in the world, and the maintenance of peace among them. Hence Dante says that the human race, in accordance with the things it has in common should by a common guidance be directed toward peace (*communi regula gubernetur ad pacem*). He asserts[478] that at the time of Christ's coming the human race was happy in the tranquillity of universal peace (*tunc humanum genus fuerit felix in pacis universalis tranquillitate*). Dante says of the Romans[479] that they having cherished universal peace with liberty (*universali pace cum libertate dilecta*), neglected their own interests for the benefit of all mankind. Moreover, Dante writes:[480] "It is manifest that universal peace is the best of those things which are ordered for our happiness."[481] He maintains[482] that the whole earth should have one prince, who possessing everything and being unable to desire more, should keep the kings content within the limits of their kingdoms, that thus there may be peace among them (*uno Principe avere, il quale, tutto possedendo e più desiderare non possendo li re tenga contenti nelli termini delli regni, sicchè pace intra loro sia*).

It is evident then, that Dante's principle concern is the liberty of all peoples of the world and peace among them, in order that civilization may progress and in order that all may be happy. Functions expressly mentioned by Dante as belonging exclusively to the universal monarch are the correcting or regulating of bad governments (*politiae obliquae*) which often deprive people of their liberties, the settling of disputes between governments, and above all the maintenance of universal peace. The various languages, laws customs and even governments of the various peoples may remain. The emperor is not to be directly concerned with these, provided they do not encroach upon the freedom of men and in no way endanger the peace of the world. The particular governments are to guide their subjects to happiness and welfare according to their different customs and laws, as the chiefs of the tribes of Israel were concerned exclusively with the welfare of their own tribe. The

[478]De Mon. I, 16.
[479]De Mon. II, 4.
[480]De Mon. I, 4.
[481]Manifestum est, quod pax universalis est optimum eorum, quae ad nostram beatitudinem ordinantur.
[482]Conv. IV, 4.

monarch is to guide the entire human race according to those laws which it has in common, and to safeguard the rights which all men have, irrespective of their differences, and thus maintain universal peace which is the prime requisite for the temporal happiness and welfare of all mankind, just as Moses guided the destinies of all the tribes of Israel. This in my opinion is the correct interpretation of the words of Dante as found in his works, and I believe that this interpretation harmonizes with Dante's teaching on the state in general and with his ideas of popular sovereignty and his views on nationality.

There is a passage[483] referring to the relations of men to the supreme monarch which appears, at first sight, to be out of harmony with what Dante says regarding the emperor's government of the various peoples in accordance with the things they have in common. Dante writes as follows: "That right love should indwell in the Monarch more than in all men beside reveals itself thus: Everything loved is the more loved the nearer it is to him who loves; men are nearer to the Monarch than to other princes; therfore they are or ought to be most loved by him. The first statement is obvious if we call to mind the nature of patients and agents; the second if we perceive that men approach other princes in their partial aspect, but the Monarch in their totality. And again, men approach other princes through the Monarch, and not conversely; and thus the guardianship of the world is primary and immediate with the Monarch, but with other princes it is mediate, deriving from the supreme care of the Monarch." (Henry's transl.)[484]

Dante says[485] that the emperor is to govern mankind according to the things which it has in common (*secundum sua communia*), whereas in the passage just quoted[486] he states that

[483]De Mon. I, 11.

[484]Et quod Monarchae maxime hominum recta dilectio inesse debeat, patet sic. Omne diligibile tanto magis diligitur, quanto propinquius est diligenti; sed homines propinquius Monarchae sunt, quam aliis principibus: ergo ab eo maxime diliguntur, vel diligi debent. Prima manifesta est, si natura passivorum et activorum consideretur; secunda per hoc apparet, quia principibus aliis homines non appropinquant nisi in parte, Monarchae vero secundum totum. Et rursus: Principibus aliis appropinquant per Monarcham, et non e converso; et sic per prius immediate Monarchae inest cura de omnibus, aliis autem principibus per Monarcham, eo quod cura ipsorum a cura illa suprema descendit.

[485]De Mon. I 14.

[486]De Mon. I, 11.

men are closer to the Monarch than to the other princes (*homines propinquius Monarchae sunt, quam aliis principibus*). It would appear from this that whatever differences there may be between men, and whatever be their local government, they are all citizens of one state, the superstate or the universal Monarchy, although they are at the same time citizens of the particular state in which they reside. Dante himself says that he is a citizen of the world, yet at the same time he maintains that he is a citizen of his beloved Florence. Men may be said to be closer to the Monarch in the sense that the head of the superstate is directly concerned with the welfare of all the men in the world, whereas the heads of particular states are concerned with the welfare of those who inhabit the states which they govern, hence only a part of mankind. Moreover, the happiness of mankind in general depends more on the head of the superstate, than on those of particular states, for without the superstate their local governments might oppress, nay even enslave them, and without the superstate permanent universal peace would be impossible. Now Dante declares:[487] "Among other goods of man the greatest is to live in peace."[488] Hence in this respect they are closer to the universal Monarch, since their greatest good depends mostly on him, therefore they are more indebted for their happiness and welfare to the supreme government than to their local government. Men derive greater benefit from the head of the superstate than from the heads of the particular states in which they dwell, and it is vastly more important for men to be citizens of the superstate than simply citizens of a particular state. Finally, since the heads of particular states hold their positions with the consent and approval of the head of the superstate who will not allow them to abuse their powers to the detriment of the governed, in this respect also are men closer to the universal monarch than to particular princes who are dependent on him, for, as Dante says, their care for their subjects descends from the supreme care of the Monarch (*eo quod cura ipsorum a cure illa suprema dessendit*).

I believe that the passage with which we are presently con-

[487]De Mon. I, 11.
[488]Inter alia bona hominis potissimum est in pace vivere.

cerned, considered in the light of the entirety of Dante's teaching, can thus be harmonized with it. It would follow from this, therefore, that the various peoples, living in various climates, and having various languages can be organized into their own particular states with their own governments, and at the same time enter into the political structure of the superstate without being reduced to mere provinces. These particular states, according to Dante's theory, would be true states, possessing all the attributes of sovereignty except that of complete independence of any external power. Thus the superstate would be composed of states having a limited sovereignty, and all the inhabitants of the world would be citizens of the universal empire and at the same time citizens of their own national states. The status of such a citizen would in a certain sense be analogous to that of a citizen of the United States who at the same time is a citizen of his own state, for instance New York or California. Dante argues in favor of a superstate, but he does not believe in abolishing national states, provided they rightly govern their subjects and acknowledge their subordination for the common interests and welfare of all mankind, to the superstate or universal empire. I repeat then that Dante insists on unity, but he will not have dead uniformity.

However, one still might urge that Dante's thought was that there really should be only one state, and not many subordinate states, forming a superstate, since he says, on Aristotle's authority,[489] that a multitude of princedoms is an evil, hence there should be but one prince (*malum autem pluralitas principatuum, unus ergo Princeps*). In answer to this it can be stated that it is evident from numerous passages taken from Dante himself, and quoted in the course of this work, that Dante does not at all intend to abolish the various states, but for the sake of unity he insists on their subordination to the universal state. Dante does not consider a multitude of kings princes and states an evil, but a multitude of entirely independent states. The human race should have one head and not many heads. It is not a multitude of princedoms or states (*pluralitas principatuum*) but a multitude of heads (*pluralitas capitum*)

[489]De Mon. I, 10.
[490]De Mon. I, 16.

which is the source of innumerable evils for mankind. Hence Dante bewails this deplorable condition, saying:[490] "O mankind! how many storms, what great losses, and how many shipwrecks must distress thee, so long as thou, like a beast of many heads, strivest after diverse ends!"[491] Therefore one is justified in stating that Dante does not regard a multitude of states, as such, an evil, but a multitude of totally independent states, or a multitude of heads, he regards as the cause of some of the greatest misfortunes which ever afflicted the human race.

Another thing that demands attention in discussing Dante's universal empire is that he does not regard all peoples qualified to govern, at least not in the same measure, and in this he agrees with Aristotle. He holds[492] that those who are intellectually superior are the natural rulers of inferior peoples. (*Ex quo iam innotescit illud Politicae*:[493] *intellectu scilicet vigentes aliis naturaliter principari.*) We find also the following:[494] "Hence we find individual men and whole nations born apt for government, and others for subjection and service, according to the statement of the Philosopher in his writings concerning politics;[495] as he says, it is not only expedient that the latter should be governed, but it is just, although they be coerced thereto." (Henry's transl.)[496] It must be remarked here that it is quite natural that superior men should rise above others, and that a more highly civilized and better organized nation should prevail over barbarous or semibarbarous peoples and tribes. Moreover it is a historical fact, constantly recurring. It should also be noted here that although Aristotle upholds the institution of slavery, Dante nowise concords with Aristotle in this respect. Dante is the defender of the freedom of all peoples,

[491]O genus humanum! quantis procellis atque iacturis, quantis naufragiis agitari te necesse est, dum bellua multorum capitum factum, in diversa conaris.

[492]De Mon. I, 3.

[493]Aristotle, Pol. I. 2. 2.

[494]De Mon. II, 7.

[495] *ὅτι μὲν τοίνυν εἰσὶ φύσει τινὲς οἳ μὲν ἐλεύθεροι οἳ δὲ δοῦλοι, φανερόν, οἷς καὶ συμφέρει τὸ δουλεύειν καὶ δίκαιον ἐστίν.* Pol. I. 5. 11.

[496]Propter quod videmus, quod quidam non solum singulares homines, quin etiam populi, apti nati sunt ad principari, quidam alii ad subici atque ministrare: ut Philosophus adstruit in iis quae de Politicis; et talibus, ut ipse dicit, non solum regi est expediens, sed etiam iustum, etiamsi ad hoc cogantur.

whether superior or inferior; all should be governed for their own sake, and for their own benefit and welfare. It should be remembered that one reason why he advocates a universal Monarchy is that bad governments should be righted and corrected by the power of the universal Monarch if they should attempt to reduce their subjects to servitude, and thus deprive them of their rights and liberties. Dante says that mankind is in the best condition of well-being when it is free.[497] (*Humanum genus, potissime liberum, optime se habet.*) All peoples, no matter by whom they may be governed, should be governed for their own sake, that is, they should remain free. Yet Dante says in the passage quoted above that some peoples should be governed by superior peoples, although they be coerced thereto, and that this is expedient for them and also just. One may ask how can a forced government be consonant with the freedom of the governed. Dante is well aware that in his day there were men, that is tribes of savages, but little removed from the brutes (*homines qui parum distant a brutis*)[498] as there are also to-day. Now there is no doubt that for such peoples it is a real blessing to be governed by a superior people, provided they are not governed for the sake of the superior race, but for their own sake. They are not to be exploited: this Dante condemns at all times, and it would be the duty of the head of the superstate to prevent exploitation of barbarous peoples and tribes. It is often the case that life and property are not secure among uncivilized tribes, and their incursions may be the source of danger to their neighbors, they will not live in peace among themselves, and will not live in peace with their neighbors and thus not only are they not happy themselves, but they threaten to destroy the happiness and welfare of other peoples, happiness being the common end for all mankind. There is no nation or people or tribe in the world that can claim the right to interfere with the attainment of the common end of all mankind. Freedom or liberty of a tribe or nation does not entail its right to thwart the purpose of the entire human race. It must harmonize with the rest of mankind and thereby promote also its own welfare. It remains true

[497] De Mon. I, 12.
[498] De Vulg. Eloq. I, 9.

to-day that superior men and nations rule the others, it is also an undeniable fact that all men are not equally endowed by nature, some will be geniuses, others imbeciles. It is also true that certain nations or peoples are superior to others, in civilization and political organization, and they directly or indirectly influence the governments of their neighbors. We must admit that a feeble-minded man is not qualified to govern others, and also that a barbarous or semi-barbarous people is not at all equipped to govern a superior people.

It may also be objected that to force a government upon a people is not in accord with Dante's teaching on the sovereignty of the people. In answer to this it can be stated that one cannot speak of the sovereignty of the people unless the people exist as an organized community with mediums of expression of its will. This cannot be the case with men who are but little removed from the brutes. Moreover, it should be remembered that Dante saw well enough that he could not establish his universal empire on the consent of the peoples of the world, hence he shows that the ancient Roman empire was approved by Divine Providence which is higher than the consent of the people, and they should acknowledge the supremacy of the empire in accordance with the will of God. The empire of his day Dante regarded as the historical continuation of the Roman empire, hence he who opposed the empire of his day also opposed the will of God. Hence if an inferior people were forcibly made a part of the world empire it would be just, according to Dante, because it would be in harmony with he decrees of Divine Providence.

Dante's words on the forced government of inferior peoples may sound harsh, yet it should never be forgotten that Dante's test of a good government is that its subjects be ruled for their own benefit and not exclusively for the sake of those in control of the government. Hence these inferior peoples, although the government of a superior is forced upon them, should be governed with their welfare ever in view. To-day we find that the governments of intellectually superior races of the world have divided among themselves all the parts of the globe inhabited by inferior or barbarous peoples, making colonies of them. These are often called spheres of influence,

colonial protectorates, or a superior people may possess mandatory powers over a people politically disorganized or which could not maintain its government without outside help and protection. The government of inferior peoples by a superior race is a great benefit for the inferior race, if it is governed for its own benefit, and eventually an inferior race forced into the sphere of influence of a superior race, may appreciate the benefits it derived from a government originally forced upon it. We see therefore, that modern political history bears out the statements of Dante regarding the relations of superior to inferior peoples.

Dante esteemed the Romans as possessing the greatest genius for government, law and organization, and superior in this respect to any other people. Hence he says[499] that the Roman people was destined for government by nature. (*Romanus populus a natura ordinatus fuit ad imperandum.*)

Dante's Universal Empire must necessarily possess the power and force to maintain itself, and if force is to be applied that necessarily means war at times. The very maintenance of universal peace would occasionally necessitate an appeal to force. Dante writes a great deal about peace scarcely nothing on war. However, we find that Dante holds[500] that everything else should be attempted and only as a final resort, after all attempts to avoid war have failed, may the contestants have recourse to the force of arms, and that as a necessary means of establishing justice.[501] But if wars must be waged Dante teaches with Cicero that they should be conducted with less severity than is commonly the case. (*Bella quibus Imperii corona*[502] *proposita est, minus acerbe gerenda sunt.*) We perceive therefore, that Dante seeks to avoid war at all cost, but if for justice' sake war becomes a necessity it should be as humane as possible.

With this we close our study of Dante's superstate or world empire. It must be remembered that Dante's teaching on the universal empire is found throughout his entire political teach-

[499]De Mon. II, 7.
[500]De Mon. II, 10.
[501]In rebus bellicis prius omnia tentanda sunt per disceptationem quandam, et ultimum per proelium dimicandum est; . . . ad hoc remedium ultimo quadam iustitae necessitate coacti recurramus.
[502]Cicero, De Officiis. I. 12. 38. gloria instead of corona.

ing. His idea of a world state is so closely interwoven with his theory of the state in general, that it is practically impossible to dissociate them. Dante has clearly pointed out that humanity has one common purpose, he shows the advantages of unity, and of one supreme head, his idea of universal peace is indeed admirable, he wishes mankind well, but there is no doubt that the emperor or highest official (*sommo ufficiale*) must truly be a remarkable and exceptional man to rule the entire world. Dante, it seems, concentrates too much power in the hands of one man who after all is but a man and not a superman. This might be the principle criticism levelled against Dante's plan. Yet, it is certain that the emperor is but the head of a vast governmental machine, which must consist of numerous officials assisting the supreme official in the colossal task of governing mankind, who would consequently share the power of the supreme official, and this undoubtedly is what Dante expected and intended.

Conclusion.

It is characteristic of the human mind to tend towards unity. The human mind seeks to rid itself of pluralism and even dualism, and it aims at substituting monism. Unity is regarded as the highest perfection. It may be asserted that all great intellects tend towards a sort of monism, and in this Dante is not an exception. But his monism, if we may so call it, manifested itself particularly in the field of political philosophy. Unity was his objective for the entire human race, which has one origin, one nature, and one end. In order that the human race in its entirety might better attain its end, Dante teaches that there should be a universal empire, or one common supergovernment for all mankind, that the reign of peace and tranquillity might prevail. Dante was not alone in occupying his mind with this sublime conception of the ultimate organization of human society. We find that a great thinker, Leibnitz was very interested in the establishment of a harmony of all the European peoples.[503] We must observe that Kant was seriously concerned with the problem of universal peace and permanent peace. He holds that the peoples of the whole world cannot form one state, but they can form some union or league with the object of maintaining permanent peace. He regards the solving of this problem as the highest political good, and as the end towards which the human race is gradually and progressively approaching.[504] Bluntschli writes as follows of the universal empire: "But as an idea of the future the general theory of the State cannot overlook it. Only in the universal empire will the true human State be revealed, and in it international law will attain a higher form and an assured existence. To the universal empire the particular states are related, as the nations to humanity. Particular states are members of the universal empire and attain in it their completion and their full satisfaction. The purpose of the universal State is not to break up particular states and

[503]Cf. Fischer, Kuno. Gottfried Wilhelm Leibnitz. Leben, Werke und Lehre. Heidelberg, 1902. p. 7.

[504]Cf. Fischer, Kuno. Immanuel Kant und Seine Lehre. Heidelberg, 1899. Zweiter Theil. pp. 166-167.

oppress nations, but better to secure the peace of the former and the freedom of the latter. The highest conception of the State —which however has not yet been realized—is this: The State is humanity organized.''[505] I am certain that Dante would give these words his unqualified approval, it is precisely his idea of a universal empire, of some state which would be the complement and the apex, the highest perfection of the organization of mankind.

Bryce writes of Dante's De Monarchia:[506] ''Dante's book is an epitaph instead of a prophecy.'' This statement often quoted, leads to a grave misconception of Dante's theory. It should be noted that Dante conceived the idea of a universal empire as a means to permanent peace. It was ideal, it never existed, it was only speculation accompanied with the consciousness that humanity must tend in that direction. This idea of a universal supergovernment was so to speak, suspended in the air, and in this Dante plainly manifests that he was speculative. But he was practical in this, that he sought the realization of his ideal for the benefit of mankind. Seeking about the world for an existing state which he thought would have the most chances of gradually being transformed into his ideal, he simply could not find any institution more appropriate than the Holy Roman Empire of his day. Hence Dante threw all the power of his mighty intellect and genius in favor of that institution with the sublime hope that it would eventually become his cherished universal empire, which would herald the advent of unparalleled welfare, prosperity and progress under the benign influence of universal peace. I am of the opinion that Dante's great plan has often been passed over too lightly and that it has not been sufficiently understood and properly appreciated. If Dante would not be satisfied with dreaming of a universal empire and permanent peace, he necessarily must have sought out some institution which he hoped would realize his ideals, and this is why Dante favored the Holy Roman Empire of his day as a means to an end. No doubt if Dante lived to-day he would be one of the most ardent advocates of some league of nations or some

[505]Bluntschli, The Theory of the State. Oxford, 1895. p. 32.
[506]The Holy Roman Empire. New York, 1904. p. 280.

institution which would regulate the common interests of all mankind.

In our day, more than in any other time in the world's history, the necessity of some international coöperation, of some world league or union or association is becoming more and more apparent. The organization of the entire society of mankind will never be complete without something similiar to Dante's ideal of a universal empire. It may be asserted that humanity is, so to speak, passing a crisis of exaggerated nationalism, which should yield to a more international spirit of mutual assistance and coöperation. People are awakening to the fact that they are all men, no matter of what race or nationality they may be. They all desire to be happy, they all wish to enjoy the right to life, liberty and the pursuit of happiness, and more and more are beginning to realize that by living in peace with each other they can gain more than by savage wars of extermination. Let us hope that men of all races and nationalities will become more and more conscious and convinced of the universal brotherhood of mankind, and comprehend the meaning of the last words of the first book of Dante's De Monarchia: "*Ecce quam bonum et quam iucundum, habitare fratres in unum.*" Behold how good and how pleasant it is for brethren to dwell in unity. Ps. 132, 1.

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Vita

John Joseph Rolbiecki, the writer of this dissertation, was born in Winona, Minnesota, April 1, 1889. He received his elementary education in the public schools in various places in Minnesota and Wisconsin. He was graduated from the collegiate department of SS. Cyrillus and Methodius Seminary in Detroit, Michigan, in 1908. After that he pursued the study of philosophy and the natural sciences at the Grand Seminary in Montreal, Canada. In September, 1910 he entered St. Francis Seminary in Milwaukee, Wisconsin, and after completing a four year course in theology was ordained to the priesthood, March 1, 1914, by the Rt. Rev. James Schwebach, D. D. in La Crosse, Wisconsin. He was then placed in charge of a parish at Sigel, Wis. and in 1915 he was appointed rector of St. Paul's Church at Mosinee, Wis. In 1918 he registered as a graduate student at the Catholic University of America in Washington, D. C. In 1919 he received the degree of Master of Arts. He followed courses of Philosophy and Psychology under Dr Pace, History of Philosophy under Dr. Turner, Sociology under Dr. Kerby and Dr. O'Grady, Theology under Dr. Shanahan, Mediaeval History under Dr. Robinson, Biology under Dr. Parker and Mr. G. H. Brilmyer, and Thomistic Philosophy under Dr. Smith, to all of whom he is on this occasion glad to express his sincere appreciation for the effective interest they have taken in his studies. The writer in especially pleased to acknowledge his indebtedness to Dr. Pace, under whose guidance and direction this dissertation has been written, for his friendly counsel and valuable suggestions.

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